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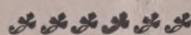
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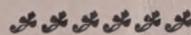
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# The United States AND THE Philippine Islands



Speeches in the United States Senate  
by Henry Cabot Lodge, George F.  
Hoar, Joseph L. Rawlins, and  
John C. Spooner.



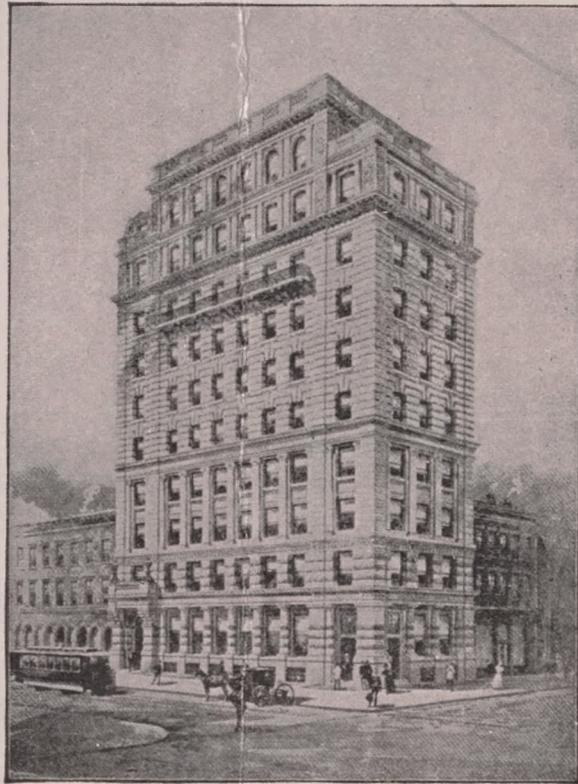
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THE  
UNITED STATES  
AND THE  
PHILIPPINE ISLANDS.



Speeches Delivered in the United States Senate by  
Henry Cabot Lodge and George F. Hoar, of  
Massachusetts, and Joseph L. Rawlins,  
of Utah, and John C. Spooner,  
of Wisconsin.



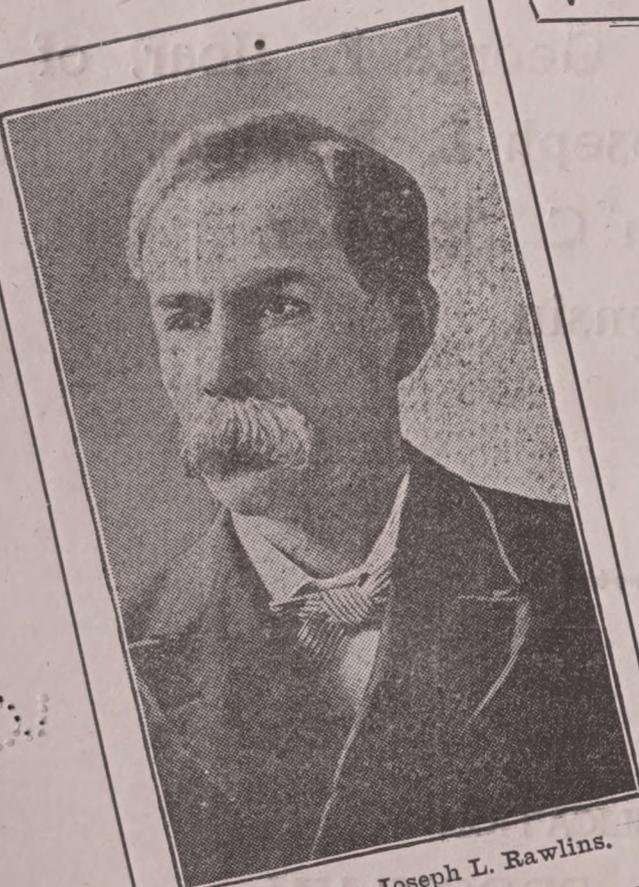
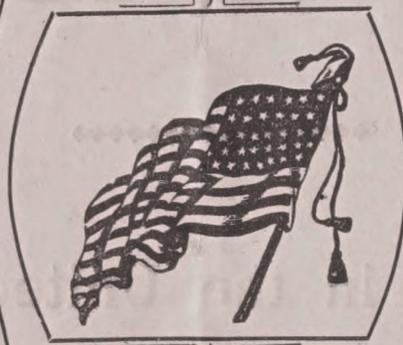
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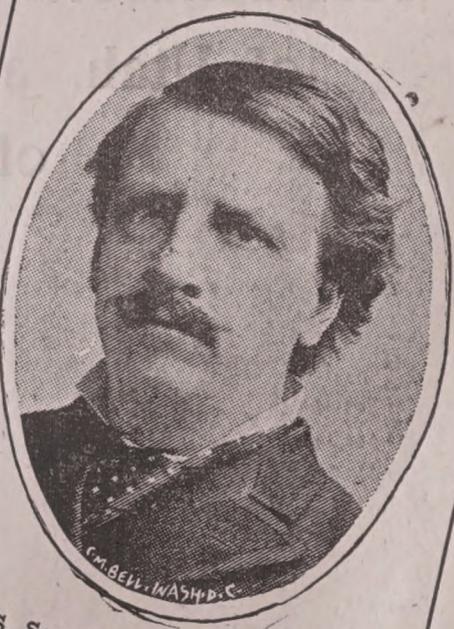
U. S. Senator Henry Cabot Lodge.  
Page 3.



(Photo by Elmer Chickering, Boston. Copyright, 1901.)  
U. S. Senator George F. Hoar.  
Page 12.



U. S. Senator Joseph L. Rawlins.  
Page 23.



U. S. Senator John C. Spooner.  
Page 29.

# The United States Soldier Championed Against Unjust Attacks.

SPEECH BY HENRY CABOT LODGE, OF MASSACHUSETTS.

Delivered in the United States Senate, Monday, May 5, 1902.

In answer to charges of cruelty made by Democratic Senators against United States Soldiers in the Philippines, Senator Lodge spoke as follows:

"Mr. President—I shall ask Senators to excuse me if I decline interruptions in what I have to say to-day. I desire to trespass as short a time as possible upon the attention of the Senate, and I have a special reason for not wishing to extend the time further than I possibly can. I also have many facts to state in support of the propositions which I shall advance, and I desire to present my argument, such as it is, as a coherent and connected whole and not be diverted from it. After I have concluded, if Senators desire to ask any questions I shall be only too glad to answer them so far as I may be able to do it.

"Mr. President, I think there has been a marked improvement in this debate over the last debate which was held upon the question of Philippine affairs, because in this debate, so far as it has proceeded, there has been more or less said about the pending measure. I am aware that we devoted one afternoon to a discussion of politics and election methods in North Carolina, but possibly it was not amiss to consider the quality of mercy exhibited in certain parts of our common country as well as in the Philippines. It is true also that we devoted one afternoon to trying to decide the question whether Aguinaldo caused the assassination of General Luna, whether he had him assassinated in self defense, or whether Luna was merely killed by the guard because the guard did not like his manners. But all these things, Mr. President, have more connection with the matter before us than the discussions about the revolutionary history and the character of a judge at Nome, in which we before indulged. I think, Mr. President, I am not too optimistic, therefore, if I express the hope and the belief that the time will come and come before long when we shall discuss measures in regard to the Philippines as we discussed the Chinese exclusion bill, with a view to getting the best legislation possible in the interests of the people of the islands and the people of the United States, and when we shall cease to make the affairs

of the Philippine Islands a field for the investment of political capital by a party whose ventures in other directions have not of late been very successful.

"The Senator from Tennessee (Mr. Carmack), with the grace of phrase characteristic of his eloquence, asked if any one would have the effrontery to defend the pending bill. In all humility, Mr. President, I will say that I have the effrontery not only to defend the bill, but in my feeble way to advocate it. I believe it to be a well-considered measure, dealing with subjects of great difficulty, to which the committee has given careful attention, over which they have labored assiduously, and to parts of which the minority of the committee have made valuable contribution, for which I am happy to make acknowledgment.

#### Mining Law for Philippines.

"The mining provisions of this bill occupy twenty-eight pages. The mining law on which the provisions of the bill are founded was prepared by the Philippine Commission with great labor and attention. It has been revised by a sub-committee of the Committee on the Philippines, consisting of the Senator from Maryland (Mr. McComas), the Senator from Nebraska (Mr. Dietrich), and the Senator from Utah (Mr. Rawlins), and I believe as a layman in regard to mining laws that we have embodied in this bill as excellent a mining law as stands on any statute book. I think the obligation, for it is due to the sub-committee of the Committee on the Philippines, and in a great measure to the Senator from Utah, who brought to the work an expert knowledge which was of great value. I shall not detain the Senate by discussing the details of those mining provisions. That is a task which I leave to the better instructed members who prepared it.

"The coinage provisions of the bill occupy six pages, and provide for coinage in the Philippine Islands. I will only say in regard to the coinage provisions that the committee were satisfied, after a careful investigation of the subject, unanimously, with one possible exception, that no greater mistake could be made than to change the system of currency now in existence in those islands

and to alter the standard to which the people have been accustomed for many years. It is always a dangerous thing to change the money standard of a people, and it seemed to the committee that at this time it would be exceedingly perilous. They are now, and have long been, upon the single silver standard, with the free coinage of Mexican dollars as the unit value and the current coin of the island. We make no change in the standard; we simply substitute for the Mexican dollar an American Filipino dollar, to be coined at the mint of Manila and at the mints in the United States, following in that respect the example of Great Britain in Hongkong, Singapore and the Straits Settlements, for which she has coined what is known as the Bombay dollar, which has been of very great advantage to her and to her trade in the commerce of the East. I shall not go further into this question. The sections were prepared by the Senator from Iowa (Mr. Allison), and I shall leave him, abler and more skilled than any other man in public life to deal with such a question as this, to explain these provisions fully and in detail to the Senate.

#### The Commission and the Courts.

"The remainder of the bill occupies nineteen pages. We begin by continuing the present Philippine Commission. The only change we make in the existing state of affairs is to require that the Commissioners shall be appointed by the President and confirmed by the Senate, and we apply the confirmation of the Senate also to the judges of the Supreme Court. That, Mr. President, is necessarily a temporary and tentative arrangement. It is designed to leave the government of the islands in the hands of the present Commission until the provisions of the succeeding sections may be carried into effect. Those sections provide for taking a census of the islands, getting not only the numbers of the people, but all the information that can possibly be desired, in order to enable us to establish there permanent, popular, representative government.

"It will require, in the nature of things, some time to take such a census, and it is impossible, as it seemed to the committee, to enter suddenly upon the establishment of

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representative government until we know the numbers of the people, until we have differentiated the wild tribes, who are said to number nearly a million, from the Christianized Filipinos, and also to determine our relations with the Mohammedan tribes of the south. The object of the census sections is to enable Congress to legislate intelligently with a view to giving those people a popular representative government; in the meantime to take the census to which I refer; to instruct the Commission to continue, and to extend as far as possible the municipal and provincial governments to be chosen by the people, with the suffrage to be enlarged as rapidly as they think it safe; and to continue to build up in that way the self-government of the people of the islands.

"We provide also for the public lands. That again is a temporary provision. There is a vast body of public land in the Philippine Islands. The total area of the islands is estimated at 72,000,000 acres, and it is believed that not more than 5,000,000 of those 72,000,000 acres are now in private ownership. That leaves in the hands of the United States, as the heir of Spain, some 67,000,000 acres of public land. The committee felt that it was necessary to have a proper land law—one adapted to the conditions of the islands. It has been left to the commission to prepare such a law, to be transmitted to Congress for its consideration and approval. Until that land law is enacted we give to the commission power only to make leases of the public lands.

"We also provide that they shall give good titles to the occupiers of public lands, of whom there are a great many among the natives, who have never been able to secure from Spain any title to the little homesteads or farms which they lived on and cultivated for generations. I think that that is one of the most necessary and beneficent provisions of the bill.

"There are a number of sections which provide and give authority for the issuance of municipal loans, intended for municipal improvements, which are greatly needed, especially in the city of Manila.

"We also have provisions in the bill in regard to timber lands, and we have followed the same careful policy in regard to those lands that we have pursued in regard to the public lands generally. We permit the commission only to issue licenses to cut timber, and not to sell any more land than is necessary for the establishment of a saw-mill or the opening of a road to give access to the forests.

#### Purchasing the Friars' Lands.

"We have also made provision for the purchase of the friars' lands, as they are called. That is a difficult and unusual question. We authorize the commission to buy the lands of the friars for the purpose of selling them immediately to the people who now occupy them. However witnesses or experts may differ in regard to the affairs in the Philippine Islands, there is but one opinion as to the necessity of taking those friars' lands and giving them over to the people who actually live upon them and cultivate them. The possession of the lands by the friars was one of the bitterest grievances of the Filipino people against Spain. The testimony is universal as to their desire to have those lands restored to them. The sections in regard to these lands, of course, in the nature of things, give a large power to the commission, but there is no other way that I have seen suggested to get those lands out of the hands of these religious corporations and

back into the hands of the people who cultivate them.

"We have also clauses in the bill providing for franchises. They are guarded with the utmost care. I cannot now undertake to read, and I shall not detain the Senate by reading these franchise clauses, but I invite Senators to examine them with the utmost care. They are guarded in every possible way compatible with giving any reasonable opening to capital to enter into the islands with the hope of profitable investment.

"The main object of the bill, Mr. President, is, in a word, to replace military by civil government—to advance self-government; and yet it is delayed in this chamber and opposed by those who proclaim themselves the special foes of military rule.

"The second object of the bill is to help the development of the islands, and yet, as the committee felt, to help that development only by taking the utmost pains that there should be no opportunity given for undue or selfish exploitation. The opponents of this legislation have dwelt almost continuously, when they have spoken on this bill, on the point that it is intended to open the islands to exploiters, to syndicates, and to carpetbaggers. Why, Mr. President, if we go on the proposition that it is a crime for an American to make money, undoubtedly there is opportunity in this bill for men or associations of men to enter into the islands and to make money in a legitimate way. I am aware, after many years of experience, of the hostility of the Democratic party to any man who has made money or to any man making money, and it was that one of their principles, the only one, I think, which was carried out with complete success during their last term of power. Few, if any, Americans at that time made money. But these exploiters, these syndicates, these carpetbaggers march back and forth through the speeches of Democratic Senators like the scenshifters' army, and they have as little reality as the air-drawn dagger of Macbeth. It is continually reiterated that they are to be brought into the Philippines by this bill; and while Senators in opposition are declaiming against this bill as throwing the islands open to improper exploitation and speculation I have had many gentlemen come to me who desire to invest money in the Philippine Islands, and who say that the bill is so drawn that it is impossible for capital to go in there to any large amount. When gentlemen who desire to invest take that view and the Democratic party takes the view that the bill is simply for purposes of exploitation my own conclusion is that we have got a pretty good bill.

#### An Absurd Proposition.

"We are also told that the Chinese are to be poured in there. Mr. President, as we have excluded the Chinese from the Philippines by legislation already passed, how absurd that proposition is. The dismal picture is then drawn of what will happen to the islands if we do not let the Chinese in. The testimony is very clear to my mind that the Filipino people, if they have an opportunity to earn good wages and to have them regularly paid—something which has never happened to them under Spanish rule—will be found quite capable of doing all the work that is needed in the islands. They are skillful workers in the factories they have there, such as the cigarette factories; they are noted as good machinists; they are deft and ingenious with their hands; they work in the rice fields under a sun which is even too much for Chinamen, and they carry on

all the cultivation of the islands. If we once give them an opportunity to perform this work and receive regular wages and be properly paid, I am sure we shall find that the labor is there, so that the Filipino people can develop their own territory. It may be slower than if we should throw the islands open now to sudden exploitation in large masses of territory and with great bodies of capital and with Chinese labor; but that it is simple justice to the people of those islands and that it is infinitely better to give them the arrangement that we have given them, is, to my mind, too clear for argument.

"In connection with these exploiters and syndicates and carpetbaggers we have been told on the other side of the chamber that the Moro war was started in order to open the southern islands to exploitation. The Senator from Utah (Mr. Rawlins) criticised us with the utmost severity on that ground, whereas the Senator from Tennessee (Mr. Carmack) reproached us because the war with the Moros was not being pushed with sufficient vigor, they being brave, wild Mohammedans, instead of peaceful, Christianized Filipinos."

Mr. Carmack—Which I did not do at all.

Mr. Lodge—I so understood the Senator, and if I misquote him I shall be glad to correct it.

#### Facts About the Moros.

"The facts are very simple. The Moros seized and put to death some American soldiers. Indemnity was demanded and the delivery of the murderers. The President warned our generals there to avoid a general war if it could possibly be done. The Moros, as I understand, declined, and engaged in continued hostilities. The news of events there is in the newspapers to-day.

"Mr. President, what we have done in the islands so far in three years is to establish schools, to establish courts where there can be quick justice instead of long denial, to establish the writ of habeas corpus, to erect civil governments throughout all the pacified provinces, and in this bill we propose to restore to the Filipinos the friars' lands and to give them title to those portions of the public land which they now occupy. All those things are great and beneficent measures—measures which we ought to enact no matter what our opinion may be as to the ultimate disposition of the islands.

"The charge has been made, and has been made as frequently as the charge about exploitation, that we are intrusting these islands to a commission—a commission of foreigners, of outsiders, as it is called. Mr. President, it is well enough to say 'commission,' as if it were some kind of a vague, ill-defined monster; but a commission is made of men; and when we discuss the commission we ought to look at the men who compose it, to whom we intrust this great work until a popular and representative government can be established. It would not be right for us to say that until a census was taken and all the arrangements, which may occupy many months, possibly years, are completed for the establishment of a representative government—that during all that time no city shall borrow money; the friars' lands shall not be returned; no railroad shall be built; no street lighted; no electric roads put in; that we should hold the islands back from all progress, when we have there a commission perfectly suited to deal with all those matters.

"What is that commission, Mr. President? The head of it is Judge Taft, known through-

out the United States. The Senator from Texas (Mr. Culberson) and the Senator from Colorado (Mr. Patterson) on Saturday last were at some pains to try to prove that Judge Taft was lacking in candor. I think, Mr. President, that there is no one who knows Judge Taft who is not perfectly familiar with the fact that a more honorable, candid, fair minded man does not live. I believe that wherever he is known the suggestion that he is evasive or uncandid will be an opinion enjoyed in solitude by the Senators who hold it. He had an assured judicial career, or, if he preferred, he could have gone back to the bar and commanded a great income. He gave up all those prospects, went out into the East as disinterestedly and from as pure motives as ever caused any man to undertake a great work. He has devoted to it his time, his health, and strength. He has come back with impaired health, and yet he is going to return to those islands because he is devoted to the interests of those people. He regards himself as their guardian and their trustee. No man ever acted from better motives; no man ever labored more disinterestedly than he has done or with greater industry and intelligence.

"Judge Taft is a Northern man and a Republican. The acting governor, Luke E. Wright, is a Southern man, an ex-Confederate and a Democrat. All that I have said of Judge Taft, I believe, from everything I have ever heard, I can also say of Governor Wright. Those are the two men at the head of the commission to whom we propose to give this great trust in the years to intervene between this time and the day when we can establish a general representative government in the Philippines. It is not a mere name—the Philippine Commission—it is just those two American gentlemen whom I have named and their associates—associates in every way worthy to be with them. Are they not honorable men? Do they not stand high in this community? Is there one who knows them who would not be glad to make them trustees for his wife or his child? Are they not eminently men 'secundis temporibus dubisque recti'? They stand high before the people of this country; there is not one of them we would not trust with our own affairs; and is it to be supposed that we cannot trust them with this great public duty? If we cannot trust them there is no man in the length and breadth of the United States fit to be trusted, and I have not yet reached the point when I am ready to admit that there are not Americans fit to be trusted with the interests of other people in the sure faith that they will administer them with an eye single to the benefit of their wards and the honor of their country. (Manifestations of applause in the galleries.)

#### Real Attack on the Army.

"Mr. President, I have stated the provisions of the bill. I have tried to speak in regard to some of the points of attack upon it; but the real attack which has gone on in this chamber for the last ten days has not been upon the bill. So far as the civil government goes, with any one who has read the testimony and knows the facts and has considered the bill the attack upon it has broken down. The real attack here has been directed against the Army of the United States by those who are delaying this bill, which seeks to replace military with civil government.

"Why this attack upon the Army? Because, it is said, it has been guilty of cruelty

and torture to natives of the Philippine Islands. Ah, yes, Mr. President, perhaps so, but it has been guilty of a greater crime than that. It has been guilty of a crime not yet brought against it upon this floor, but which rankles deeper than all the tortures and all the cruelties laid to its charge—it has been guilty of the crime of success. It has been a victorious army; it has put down insurrections, and it meets now, as it met after Appomattox, abuse and attack. The days have dropped into history when Grant, too, was called a 'butcher,' but they are not forgotten. This charge has been brought against the Army of the United States because they have been victorious, because they have crushed the insurrection and disappointed those who sympathize with the insurgents. That is one reason for the assault upon our soldiers, and that is a sin for which in some quarters no forgiveness is possible.

"But I am not going to deal with the crime of victory. I am going to deal with the cruelty and the torture of the natives with which the Army has been charged. The Senator from Tennessee (Mr. Carmack) said that he thought no exaggeration was possible. I think he wronged himself. The charges can be, for they have been, greatly exaggerated. Why, Mr. President, the American Army has been held up here as guilty of greater atrocities than all history can show. The Senator from Utah (Mr. Rawlins) said:

"My God, Senators, will any one rise and tell me when and where among the most barbaric peoples you ever read such an act of brutality as that? When was anything like that disclosed elsewhere upon the face of the earth?"

"Mr. President, I cannot suppose that the Senator, with his wide reading, has forgotten such a notorious fact as the Neronian persecution of the Christians, when they were tied to pillars and burned to give light in the streets of Rome. I have heard of nothing of that sort in the Philippines. Is it not true, and does not history show, to take another familiar example, how the Tartar hordes swept over Russia; that they impaled the people in the villages, and that those they did not impale they tied to stakes with their hands above their heads and dipped them in tar and lighted them and left them there to burn, so that affrighted Europe called them Tartar candles? I have heard of nothing of that sort from the Philippine Islands, and yet we are told that the atrocities there are worse than anything that even the most barbaric nations in history can show.

#### All Torturers of History Recalled.

"Indeed, Mr. President, the wide knowledge of the Senator from Utah was exhausted in finding comparisons to portray the infamy of the American Army. Not only have the conventional torturers of history, Philip II, Alva and Torquemada, flitted across the debate, but Quintus Cicero, the nephew of the great orator, has been brought in here, and has had his piteous story told. We have been informed also that Julius Caesar in all his campaigns never was guilty of such cruelties as the American Army has been guilty of in the Philippine Islands. I am afraid for the moment the Senator's classical learning betrayed him. He has forgotten that it was Julius Caesar, in truth, the most merciful as he was the greatest Roman, who, nevertheless, in his early days, when he captured pirates in the Mediterranean, crucified them at Pergamus, and so gave them over to one

of the most cruel and agonizing forms of death that men have ever known.

"But not content with this, Mr. President, not content with what history furnished, the Senator from Utah in his zeal for comparisons made some contributions to history himself."

Mr. Rawlins—Mr. President, the Senator has alluded to an instance in my speech where I asked if there had been anything in history comparable to the particular matter to which I was then referring, and that reference was to the order of General Bell, which I quoted."

Mr. Lodge—I am not misquoting the Senator. I am reading his own words.

"The Senator, I said, not content with exhausting history, made some contributions to it himself. He said:

"While in that situation the interpreter, doubtless compelled to perform this infamous service, stooped over him and said, 'Confess, confess.' It makes us think of Copernicus when he was subjected to the tortures and thrown down. They wanted him to announce that the world did not revolve upon its axis, and was promised if he would say so that they would let him go, or else they would take his life, and, he refusing to say so, they took his life."

"Mr. President, the great astronomer and mathematician Copernicus died at the age of 70, in his bed, a canon of the church, in the bosom of the church, and his great work about the revolution of the celestial orbs was only published to the world as he lay dying. He was never tortured. It is possible—"

Mr. Rawlins—Mr. President—

Mr. Lodge—It is possible, Mr. President, that the Senator was thinking of Galileo, but Galileo recanted, and lived ten years longer. (Laughter.) So that, as the story applies neither to Copernicus nor Galileo, it must be some other tortured astronomer the Senator has in mind. (Laughter.) Ah, Mr. President, if the Senator had only told the right story of the right man, if he had only described Galileo reciting his recantation and then as he arose from his knees muttering under his breath the famous words which have come down to posterity the Senator might have taken that golden opportunity to teach the party to which he belongs the lesson, which they seem to be as slow in learning as the Roman curia in the sixteenth century, that the world moves. (Laughter.)

#### Some Regrettable Instances.

"Now, Mr. President, to pass from these fascinating historical studies to the facts of to-day. The American Army is accused of atrocities in the Philippine Islands. Some cases, far too many, have been proved of cruelties to native prisoners and to hostile natives, and more, I fear, will be proved. To me it is a source of bitter, bitter regret that any American, whether soldier abroad or civilian at home, should ever have tortured any one, or that any order should ever have been issued by an American general which, on its face, and without knowledge of the conditions, seems, as I said the other day in the Senate, revolting. But we as Senators, representatives of great states of this great Union, are not here to indulge in frothy denunciation, but to get at the truth, to punish the guilty when they are proved guilty, to mete out judgment upon proved offenses, and thereby in strict justice to clear our honor and good name and keep the fame of our Army without spot or blemish.

"There has been an ingenious effort made

here from time to time to separate soldiers from officers. Soldiers are more numerous than officers. They have more votes. They have larger connections, more friends who vote, because there are 100,000 of them and only a few officers, comparatively. But, Mr. President, this separation cannot be made.

"There was brought before our committee, on the demand of a philanthropist—one of the kind evidently who never feels that his philanthropy is well exercised unless it involves in its exercise some shame to his country and some discredit and disgrace to his fellow citizens—there was brought before us a young officer of the Thirty-fifth Regiment, named Grover Flint. He testified that at Candaba, in the Island of Luzon, Macabebe scouts tortured a number of Filipinos—twenty or more—with the water cure in order to make them reveal the places where their arms were concealed. He said that in the morning of the day after the town was taken, while this was going on, soldiers volunteered to go down to the well where it was being done; that there were no orders given; that he said to the major commanding—Major Geary—'I think I had better go down there and see whether excesses are being committed,' and that he went down there. He was asked if he interfered. He said that he did in two or three cases where he thought excesses were being committed. I asked him, as was my duty—it was a painful question to ask and I disliked to put it—as to other cases where he did not interfere, 'Did you approve at the time what was being done or did you not?' He answered that question with a fearless truth, painful as it was to him to do it, that he did approve it at the time, and I honored him for his brave, true answer.

#### Some of the Filipinos' Acts.

"Mr. President, there were our own soldiers and the young officer all engaged together. You cannot part officers from men. Mr. Flint himself comes of a family eminent for three generations in the practice of one of the noblest of professions. He is a graduate of Harvard College; he is an honorable man; he is a brave soldier; he has been wounded in battle—battle for the Republic. There must be some reason for these things, and presently I shall try to state it.

"Let me give another example to show that you cannot separate the soldiers from the officers. Only last night I heard from a young officer who commanded a company that at the first skirmish in which they were engaged they drove back the insurgents and took the town. The insurgents in retreating carried off three of our men, carried them to a neighboring town, stripped them naked, and said that if they would cry 'Long live the Filipino Republic!' they might run away into the bush as they were. One man refused, and stood up there, naked, in the midst of that hostile crowd, and cried, 'Long live America!' They tied him to a tree, and the women and children stoned him to death. The other two, who lost heart and cried, 'Long live the Filipino Republic!' were cut to death with bolos; and the young officer said when they next went into battle the men cried out as they charged the enemy, 'Remember Parnay!' Do you wonder that they did? I do not. I am not here to excuse torture or cruelty to any man, but I cannot forget that there is and ought to be, human nature, in an American soldier under such circumstances as those.

"The effort has been continued to separate the officers from the commander. Listen to

what the Senator from Utah (Mr. Rawlings) said about General Chaffee:

"Mr. President, I do not believe that Bell himself ever conceived this iniquity, this outline of policy. Perhaps it may have been Chaffee, who received his education in savagery—"

"Mark the words, 'Who received his education in savagery'—"

"and in cruelty and in barbarity over in China, where we are informed the allied forces took little children and brained them upon posts, threw them into rivers, and slaughtered and persecuted without mercy, and without limit helpless women. After he had received that training he superseded the more humane officer, General MacArthur. Then it was that this diabolical programme seems to have been adopted and carried out in all its hideousness and rigor."

"Against those cruel words I set the record of General Chaffee. I will print in the Record, with my speech, just the dry official phrases, through which shines the story of a brave life given to the service of the country.

#### Chaffee's Fighting Record.

"Adna R. Chaffee. Born at Orwell, O., April 14, 1842. Served as a private, sergeant and first sergeant, Sixth United States Cavalry, July 22, 1861, to May 12, 1863; second lieutenant Sixth Cavalry, March 13, 1863; first lieutenant, February 22, 1865; regimental adjutant, November 11, 1864, to December 12, 1866; regimental quartermaster December 12, 1866, to October 12, 1867; captain October 12, 1867; major, Ninth Cavalry, July 7, 1888; lieutenant colonel, Third Cavalry, June 1, 1897; colonel, Eighth Cavalry, May 8, 1899; brigadier general, volunteers, May 4, 1898; major general, volunteers, July 8, 1898, to April 13, 1899; brigadier general, volunteers, April 13, 1899; major general, volunteers, July 19, 1900; major general, United States Army, February 4, 1901.

"Brevetted first lieutenant, July 3, 1863, 'for gallant and meritorious services in the battle of Gettysburg, Pa.'; captain March 31, 1865, 'for gallant and meritorious services in the battle of Dinwiddie Court House, Va.'; major March 7, 1868, 'for gallant and efficient services in engagement with Comanche Indians at Point Creek, Tex.' and lieutenant colonel February 27, 1900, 'for gallant services in leading a cavalry charge over rough and precipitous bluffs held by Indians on the Red River of Texas, August 30, 1874, and gallant service in action against Indians at Big Dry Wash, Arizona, July 17, 1882.'

"He served with his regiment in the Army of the Potomac until wounded in the Gettysburg campaign at Fairfield, Pa., July 3, 1863; absent on account of wound to September, 1863; commanding troops to October 11, 1863, when wounded at the battle of Brandy Station, Va.; absent sick to November, 1863; with regiment in Army of the Potomac to August, 1864; in the Shenandoah Valley, Va., to February, 1865, and in the campaign against Richmond, Va., to May, 1865, during which period he participated in all the battles, engagements, etc., in which his regiment was engaged (about fifty), from the siege of Yorktown, Va., April, 1862, to Appomattox Court House, Va., April 1865.

"With regiment at Frederick, Md., June to October, 1865; en route to and at Austin, Tex. (also depot quartermaster at same place December, 1866, to February, 1868), to February, 1868; commanding troop at Fort Griffin, Tex., to September, 1868, being frequently in field on scout and engaged in action with hostile Indians at Point Creek, Tex., March

6, 1868; commanding troop at Sulphur Springs, Tex., September, 1868, to March, 1869; at Canton, Tex., to July 17, 1869; at Tyler, Tex., to January, 1870; at Corsicana, Tex., to May, 1870; at Fort Griffin, Tex., to September, 1870; at Fort Richardson, Tex., to March 20, 1871, being frequently in field on scout against Indians and engaged in action with them November 14, 1870; commanding troop on the march to and at Fort Riley, Kan., to January 28, 1872; at Oxford, Miss., also commanding post to December 6, 1872; at Fort Harker, Kan., to April 2, 1873; at Fort Supply, Ind., Ter., to August 19, 1874; in the field on expedition in Indian Territory and Texas to March 23, 1875, being engaged in actions against hostile Indians at Mulberry Creek, Tex., August 30, and near Washita River, Indian Territory, October 17, 1874.

"Commanding troop at Fort Supply, Ind. Ter., March 23 to April 29, 1875; at Fort Dodge, Kan., to August 2, 1875; on the march to and at Fort Verde, Ariz., to May 30, 1876; at Fort Grant, Ariz., to June 21, 1876, and at Fort McDowell, Ariz., to September 13, 1876; on recruiting service, October 23, 1876, to October 1, 1878. He rejoined his regiment November 12, 1878, and commanded his troop at Fort McDowell, Ariz., to July 1, 1879; in charge of the San Carlos Agency, Ariz., to May 31, 1880, commanding troop and post of Fort McDowell, Ariz., being frequently in field in active operations against hostile Indians, to September 11, 1882, being engaged in action with them at Big Dry Wash, Arizona, July 17, 1882, and was highly commended for services in the field in General Orders, No. 37, Department of Arizona, July 31, 1882.

"On leave September 11, 1882, to January 5, 1883; commanding troop at Fort McDowell, Ariz., to October 17, 1883; being absent in the field with General Crook in Arizona and Mexico; operating against hostile Apache Indians, March 24 to July 9, 1883; commanding troop and post of Fort Huachuca, Ariz., to June 5, 1884; at Fort Craig, N. Mex., to September 12, 1884; on leave to November 10, 1884; commanding troop at Fort Wingate, N. Mex. (in field and at Fort Cummings, N. Mex., May 22, 1885, to October 19, 1886), to August 8, 1888.

"He joined his regiment, the Ninth Cavalry, August 28, 1888, and commanded post of Fort DuChesne, Utah, to September 27, 1890; acting inspector general, Department of Arizona, October 6, 1890, to July 6, 1893, and of the Department of Colorado to October 4, 1894; on duty with regiment at Fort Robinson, Neb. (in field commanding expedition against hostile Indians in Idaho and Wyoming, July 28 to October 29, 1895), to November 7, 1896; on duty as instructor of cavalry at the infantry and cavalry school, Fort Leavenworth, Kan., November 27, 1896, to April 19, 1898, when he accompanied his regiment to Chickamauga, Ga., where he commanded a brigade to May 20, 1898, a division in the Fifth Army Corps at Tampa, Fla., to June 16, 1898; in the campaign against Santiago and in Cuba, to August 21, 1898.

"He was highly commended by General Lawton for especial distinction in successfully planning and attacking the Stone Fort at El Caney, Cuba, July 1, 1898; from August 21 to September 27, 1898, he commanded his division en route to and at Montauk Point, N. Y.; commanding First Division, Fourth Corps, November 1 to December 5, and Fourth Army Corps to December 14, 1898; chief of staff to Major Generals Brooke and

Wood of the headquarters division of Cuba, Havana, Cuba, December 29, 1898, to May 16, 1900.

"Highly commended by Generals Brooke and Wood for services rendered in the latter position, the former stating, "The Army has no better example of efficiency," and the latter that "he has filled the position with ability and assiduity rarely seen among public men."

"He left Cuba May 25, en route to Washington and thence to San Francisco, sailing from the latter place July 3 and arriving at Taku, China, July 29, 1900, when he assumed command of the China relief expedition, which he commanded to May 26, 1901, when he proceeded to the Philippines.

"Highly commended by the President and Secretary of War "for the brilliant achievement in which the courage, fortitude and skill of the American forces under his command in China played so honorable a part."

"He arrived in Manila, P. I., June 5, 1901, and, after making a tour of inspection of the islands, on July 4, 1901, assumed command of the divisions of the Philippines and duties of military governor.

"WILLIAM H. CARTER,

"Assistant Adjutant General.

"Adjutant General's Office, January 29, 1902."

"Thus it appears that he entered the Army as a private; that he rose to be a sergeant and a first sergeant in the Sixth United States Cavalry, serving from the 22d of July, 1861, to the 12th of May, 1863; that he won his first commission in battle for gallantry on the field; that he got his promotion in the same way; that the first brevet came for services at Gettysburg and the second for gallant and meritorious services at the battle of Dinwiddie Court House, Va.; that he served with his regiment until wounded in the Gettysburg campaign at Fairfield, in Pennsylvania; that he was wounded again at the battle of Brandy Station.

"I will not go into the details. After the war he passed into the regular Army. He gave the best twenty-five years of his life to service on the plains as a captain, with slight hope of promotion, serving with small pay in heat, in cold, at remote frontier posts, helping to guard those Western communities against the shock of Indian warfare. He was doing this when the Senator from Utah was making those legal and historical studies and cultivating those gifts which have enabled him to delight a listening Senate. Ah, Mr. President, there are some things to be said for the man who gave his life in silence to that thankless work! From there he went into the war in Cuba, and then the long delayed promotions came to him.

#### A Word of British Testimony.

"Let me read you one word of description as to Chaffee in the Cuban campaign, not by an American witness, but by the British military attache, Colonel Lee, who was down there:

"The strong post—

"That is El Caney—

"The strong post had been carefully reconnoitered by Brigadier General Chaffee in person on June 28 and 29, and he had submitted a plan of attack which was afterward carried out almost to the letter.

"I feel it only just at this point to mention that, however novel the absence of reconnaissance in other directions, nothing could have been more enterprising or sys-

tematic than General Chaffee's exploration of his own theater of operations. I had the pleasure of accompanying him on more than one occasion, and derived much profit from a study of his methods.

"Leaving his staff behind he would push far to the front, and, finally dismounting, slip through the brush with the rapidity and noiselessness of an Indian. My efforts to follow him were like the progress of a band wagon in comparison, but I gradually acquired a fairy like tread and a stumbling facility in sign language, which enabled me to follow the general without too loudly advertising our presence to the Spaniards. On one occasion we approached so close to the Spanish pickets that we could hear the men talking over their suppers, and until I began to speculate on the probable efficacy of the British passport, that was my sole defensive weapon. In this silent Indian fashion General Chaffee explored the entire district, and was the only man in the Army to whom the network of bridle paths around El Caney was in any sense familiar."

"Again, I will read a word about him in battle:

"Wishing to see how they were faring, I crawled through the hedge into the field beyond, and incidentally into such a hot corner that I readily complied with General Chaffee's abrupt injunction, "Get down on your stomach, sir." Indeed, I was distinctly grateful for his advice, but could not fail to notice that he was regardless of it himself. Wherever the fire was thickest he strolled about unconcernedly, a half smoked cigar between his teeth and an expression of exceeding grimness on his face. The situation was a trying one for the nerves of the oldest soldier, and some of the younger hands fell back from the firing line and crept toward the road. In a moment the General pounced upon them, inquiring their destination in low, unhoneyed accents, and then, taking them persuasively by the elbow, led them back to the extreme front, and, having deposited them in the firing line, stood over them while he distributed a few last words of pungent and sulphurous advice. Throughout the day he set the most inspiring example to his men, and that he escaped unhurt was a miracle. One bullet clipped a breast button off his coat, another passed under his shoulder strap, but neither touched him, and there must be some truth in the old adage that 'fortune favors the brave.'

"Such, Mr. President, is the description of an eye witness of his conduct at El Caney. From there he went to China. The entire world bore witness to the conduct of the American troops in that campaign. No one, not the most jealous or the most envious among the foreigners, ever charged that the American troops were guilty of any of the cruelties or atrocities with which that campaign may have been smirched. It has been left to have the imputation made for the first time in the American Senate.

"Mr. President, those troops went there to save the legations, and when the allied commanders were debating as to whether they should wait a month before starting—wait until the Germans arrived—it was Chaffee who stood up in the meeting after they had been talking and talking, and said, 'Gentlemen, whatever you may do, I march at once,' and the Japanese general arose and said he trusted that the American general would permit him to go with him. Then they all went, and history tells the rest. Here is what General Chaffee himself says in his report for the year ended June 30, 1901:

"The unusual conditions which have sur-

rounded the command, while offering many temptations and inducements to wrongdoing, cannot be permitted to excuse soldiers of our Army who, as citizens and soldiers, have been accorded instruction, through example in communities where living, that respect for law, protection of personal and public property and the maintenance of order are special requirements imposed upon all United States soldiers, never to be broken, under any circumstances. (Report of operations in China from November 30, 1900, to May 19, 1901, by Major General Adna R. Chaffee, U. S. A., from Report of the Lieutenant General commanding the Army for year ended June 30, 1901; Part IV, page 505.)

"That is the order he issued to his men. That is the policy he pursued throughout the Chinese campaign. It was he who interfered, and attracted the attention of Europe by his interference, to prevent the looting of the great Chinese observatory. Mr. President, after those brilliant services in China they are referred to here only that we may be told that it was there that he received his education in savagery.

#### Attack on the President.

"Mr. President, not content with the attack upon General Chaffee, the effort has been made by implication to carry it still further. The source of military command in this country is the White House. All the world knows what was the attitude of President McKinley. A soldier himself, the most humane and generous of men, we know his one word from the beginning to the end was to be merciful and kind, to uphold the authority of the United States, to carry on the war firmly and vigorously, because that was most merciful and most humane, but to show the greatest kindness and consideration to the people of the islands. From that policy his successor has not deviated. No orders can be found issuing from the White House of which any American may not be proud. It is only the other day that the order went out from there to investigate and probe to the bottom, and that whoever had done wrong, to bring him to speedy and prompt justice.

"Then, passing from the Presidents, the effort has been made to lay the blame upon the Secretary of War. Mr. President, as he has been attacked I desire here in my place to say one word in regard to him. In all the long list of able men of all parties who have held the great post of Secretary of War I think there has been no abler, no more public-spirited man than the one who now holds it. He took it at a time of great trial—with difficulties in China, with difficulties in Cuba, with difficulties in the Philippines, and he has borne that burden with strength, with honesty, with courage. He has wrought for improvements in the Army, many of which have been attained, which will stand in our history as great advances in the improvement of our military organization. He set himself to cure defects which the Spanish War disclosed and his labors in great part have been crowned with success. He is a man of high ability, of irreproachable honor, and of quite as great humanity as any who rail at him. He has been especially attacked in regard to the Major Gardener report and charged with deliberate suppression, because he did exactly what the Senate is doing to-day—leave it to the board there, where the witnesses and the accused are to make the first inquiry. When those charges, sweeping, nameless, without date or specification, were laid before him he felt that it was his duty not only to probe the matter to

the bottom, but also to see that the officers of the Army committed to his charge had fair play and exact justice; that the accuser and his witnesses should be in the same place where the accused and their witnesses were gathered. It was the part of an honorable and a loyal man, true to the service in which he was engaged and of which he was the head. He has ordered investigations of every case of wrongdoing which has been brought to him. More than 350 courts martial have been held, for great offenses and small, against the natives. There has been no desire to screen a guilty man from punishment. Wherever a reasonable charge has been brought, the man has been ordered before a court martial and tried. There have been many, many convictions and much severe punishment. That is all any Secretary can possibly do. He has done his entire duty. If, gentlemen, you think that these instances of cruelty in the Philippines are to us, as they are, a source of bitter and deep regret, can they for one moment suppose that to a man like the Secretary of War, with his heart bound up in the fame and well being of the American Army, they are not an even deeper sorrow? His object is to elevate the American Army, not to pull it down. But he also means, and he will always mean, to have justice, at least, for all the men and officers committed to his charge, and he will not knowingly condemn them unheard and untried.

#### The Whole Army Assailed.

"Mr. President, these attacks, as I have said, strike officers and men alike. They fall upon the entire organization. Senators who have listened, as I have listened, to the speeches which have been made upon the other side will realize the truth of what I say. Senators who listened to or who have read the course of the questioning pursued with witnesses before the Philippine committee will realize the truth of what I say when I assert that these attacks are leveled at the entire American Army, from the commander to the private. I would not do any one an injustice, but let me read as an example a single question that was asked on Saturday of a witness before the committee by the Senator from Texas (Mr. Culberson):

"By Senator Culberson:

"Q. You have testified, I believe, that five or six of these men were killed in attempting to escape?

"A. Yes, sir.

"Q. Do you know whether or not their effort to escape was encouraged by the American officers and soldiers?

"A. I do not know, sir.

"Q. What I want to find out was whether it was a bona fide effort on their part to escape or whether they were ever encouraged to make the effort for the purpose of affording an opportunity to shoot them. How was that?

"A. All that I know is that it was reported that they were killed while trying to escape."

"Mr. President, that seems to me a terrible imputation upon American officers and soldiers. What is proved?"

Mr. Culberson—I have just come into the chamber and I heard the last portion of the remark of the Senator from Massachusetts.

I desire to say that before propounding that question to the witness I spoke to one of my associates beside me on the committee and said that I intended to ask the question so that the real truth might be known and that there should be left nothing undone, so far as the committee was concerned, to es-

tablish clearly the fact that there had been no connivance upon the part of American troops with reference to that attempted escape.

Mr. Lodge—If the question was asked in order to vindicate and defend the honor of American officers and soldiers, it certainly meets with my cordial approbation; but as it reads it seems to me open to misconception.

"Now, what is proved? No case of cruelty has been proved before our committee less than a year old, some eighteen months old, and some two years. All the witnesses, without exception, have testified to the kindness of our troops toward the peaceful Filipino natives. They all have testified to the good care and treatment of the wounded in our own hospitals by our own doctors and nurses. No case of cruelty has been proved that did not occur while guerrilla warfare existed and where war was flagrant.

#### Burning of Towns a Military Necessity.

"Towns, it is true, have been burned, and before this towns have been burned in war. Towns were burned where insurgents were sheltered, or where it was believed they had help, or where attacks were made upon our troops after occupancy. It was a military necessity. Towns have been burned before in war. They were burned in our Civil War by troops of both sides, and the towns then burned were not composed of nipa huts.

"Mr. President, there was the case of young Meiggs, who was shot by bushwhackers in the Shenandoah Valley. General Sheridan sent his staff officers around to the neighboring houses, from one of which this boy had been killed, and gave orders to the inhabitants to leave, and then he burned them to the ground. Let me go outside of our own record. I read from a book, entitled, 'With an Ambulance During the Franco-Prussian War,' an account of the burning of Bazelles:

"The French inhabitants had fired upon the Bavarians; they had set their bedding and furniture alight and thrown them on the heads of the Germans, who were packed close in the streets, and after the first repulse of the invaders (Germans), several wounded Prussians had been barbarously butchered; some even had had their throats cut with razors.

"Upon retaking the village, when the Germans discovered what had been done, they retaliated by shooting them and bayoneting all before them; nor in some instances did the women and children escape this cruel fate. So exasperated, indeed, were the Germans that not a life did they spare nor a house did they leave intact in that miserable town."

"From the same book, chapter 12, page 136:

"On coming to Mantes we put up for the night at the Hotel de France. Much consternation had been caused the day before by five Uhlans coming into the market place with a train of wagons and carrying off all the corn and fodder they wanted. Then the Uhlans proceeded to set the station house on fire, as also to saw down the telegraph posts. 'What pluck these five men must have had!' will be the reader's exclamation. But the feat was not so daring. Every one knew that if the inhabitants interfered with these Uhlans the place would be visited the day after and reduced to ashes."

"So the Germans treated guerrilla warfare, and the Germans are a kindly people, highly civilized, and were carrying on war against another civilized people under the

rules of war recognized by all nations. The burning of towns which shelter guerrillas in a guerrilla warfare is a common incident of war. War is horrible, but it is by such methods that guerrilla warfare is put down and stopped. Now, take the evidence as to a single town, the town of Igaras. It appears from the testimony of witnesses that the people were warned. The witnesses were asked repeatedly whether women or children were burned in the fire, but they knew of none; and that, I suppose, is a fair instance of the towns which have been burned in the course of the war.

#### No Proven Case of Killing Women or Children.

"That reminds me of women and children. They have been slaughtered by myriads, in the speeches made on the other side, but, as far as I am aware, there has not been a case proved of the intentional killing of a woman or child by an American soldier or officer in the Philippines. Now, what remains? A certain number of proved cases of water cure, of menaces of shooting, unless information was given up; of rough and cruel treatment applied to secure information. That such cases have occurred in different parts of the islands is incontestable, and we all deeply regret it. We all wish to see justice done upon those who are guilty. We do not like to think of any American soldier or officer torturing a prisoner or a helpless man. But as soon as it was known that this had been done every effort was made to stop it. Most stringent orders went out from Washington not only to stop such practices where they existed, but to bring to punishment those who were guilty of them. They appear to have stopped, but, as I have said, there has not yet been a case shown, that is not at least a year old. What concerns us is to know—"

Mr. Carmack—I will say to the Senator that it is practically impossible, under the rules of the committee, to prove anything that is going on there now. We can only prove the incidents that have occurred by soldiers who have returned from the Philippine Islands. We cannot bring anybody from there at this time to prove what is being done now.

Mr. Lodge: "Mr. President, I shall let my statement stand, for it states the evidence, as I believe correctly. What concerns us and it concerns us very deeply, is to know why these things ever happened at all at any time, near or remote. Whatever has been done has been done by the American Army. What is the American Army? One would suppose from what has been said here in debate that it was an army of aliens and mercenaries; that we had out there in the Philippine Islands some strange foreign force which we had let loose upon that helpless people.

"Why, Mr. President, those soldiers are our own. They are our flesh and blood, bone of our bone, flesh of our flesh. They are volunteers, all of them. There is no conscription in this country. The men in the regular Army are in it as the result of volunteer enlistment. Thirty-five thousand of the men out there were United States volunteers. They are men drawn from our American communities, from all ranks and conditions of life—graduates of West Point, graduates of Harvard and of Yale, young men who were in the Spanish War and went from thence to the Philippines, graduates of our high schools and our common schools. Amid that great body of men there were no doubt some black sheep. You cannot get 100,000 men, young, adventurous, drawn in

hither and thither, and have them all good and perfect. But they represent well and they represent fairly the American community which gave them birth. They are not saints; no, and they are not devils, either. They are American soldiers.

#### What Caused Americans to Be Cruel.

"What is that which led them to commit these atrocities which we all so much regret and over which we sorrow? That, Mr. President, is what I want now to explain. I think I know why these things have happened. I think they have grown out of the conditions of warfare, of the war that was waged by the Filipinos themselves, a semi-civilized people, with all the tendencies and characteristics of Asiatics, with the Asiatic indifference to life, with the Asiatic treachery and the Asiatic cruelty, all tinctured by three hundred years of subjection to Spain.

"Half the story has been told on this floor. I want to tell the other half, and I invite attention to it. It may be dry in places, but it deserves attention, for the honor of the American name is concerned in knowing why these things have happened as they have happened.

"Let me take the first case, which has been so much talked about—the case of the presidente to whom was given the water cure at Igaras. He was the presidente of the village. He pretended that he was our friend; that he was favorable to us. He was really a captain of the insurgents, and his police force were men belonging to the insurgent ranks. He was living within our lines. He did not wear his uniform. He came within the technical definition of a spy. He could have been taken out and shot after a drumhead court-martial with the same justice that Andre was hanged. Our men discovered him and believed that he was treacherous. They administered the water cure to him and to two or three of the policemen, in order to get information as to where the insurgents had gone. It was administered to him twice. It was not administered in retaliation; it was not administered as a punishment. It was administered to get information, and when they got the information he mounted his horse and rode with them across the mountains to show them where the insurgents had gone, and they then took him to prison at Iloilo.

"Now, those are the facts, told without any reduction. Igaras is situated a little north of Iloilo. In its neighborhood is the town of Dumangas. I ask attention to these towns and distances. In its neighborhood is Dumangas, lying off to the eastward. Dumangas is forty miles distant. To the south and east Leganes and Mina and Barota, respectively, twenty-four, twenty-eight and thirty-two miles. Up to the northeast is Calinog, twenty-eight miles; Dingle, twenty-four miles; Pototan, twenty-four miles, and Loon, nine miles. Those are the towns and the distances I have mentioned. The farthest city is only as distant as Baltimore is from Washington. They are a part of the towns of the Province of Iloilo, not far from the capital. I now read from an official report:

#### Dead Body Dug Up, Burned and Mutilated.

"At Dumangas the body of Corporal Donnelly of Company D was dug up, burned and mutilated. Colonel Dickman says details can be furnished of the butcheries at Leganes and Mina, and of the burial alive near

Barotac Neuvo. There has been no demand from the opposition for those details. At Calinog, Privates Dugan, Hayes and Tracy of Company F were murdered by the town authorities. Private Nolan, at Dingle, was tied up while in a stupor; the insurgents were sent for and cut his throat with a sangut. Lieutenant Max Wagner was assassinated on the road to Pototan. I happened to know that young officer; he came from my state.

"I knew him first as a Signal Service sergeant at Nantucket in charge of the government cable. He went into the Spanish war. He served well in Porto Rico. He then got a commission as lieutenant and went out to the Philippines. He was murdered on the road, by Filipinos dressed in American uniform. I have heard no word of sympathy for him. I feel sympathy for him because I knew him. His widow and three little children are in the town of Nantucket, and there is a bill on your calendar to give her a pension.

"Private O'Hearn was captured by apparently friendly people near Leon, was tied to a tree, burned for four hours with a slow fire, and finally slashed up. We had a witness who told about the water cure as administered at Leon. It was administered to the men who had seized O'Hearn, burned him for four hours, and slashed him up with bolos. They confessed to it under the water cure. Information was brought by another native who had previously confessed. It was not denied afterward. His bones are buried out there. He did not get on a horse that afternoon and ride away. It is only Private O'Hearn; that is all. It is an American soldier; that is all. I have not heard of any sympathy from the opposition or from philanthropists for him. I have not heard that atrocity denounced in this debate. And yet there it is, and those are the cases occurring around that town of Igaras alone.

"I read from another official report: 'On January 10 five bodies of native scouts, who, with one soldier of the Fifth Infantry, were taken prisoners in a barrio off Batac January 1, were found east of Batac. The heads, legs and arms had been cut off and the bodies otherwise mutilated. One white soldier named Lyons, Company K, Fifth Infantry, after having been taken prisoner, was cut with bolos and was left for dead on the field. He revived, and was able to crawl to a shack when night came on. Information was given to a local leader, and he was again taken prisoner and murdered.'

"I now read from some of the court reports cases where men were captured, regularly tried, and these cases proved by witnesses.

"The accused (Marciliano Bergara) and his semi-soldiers wore no uniform, continued in their peaceful occupations, and came together only upon special call. In this manner it is evident that they had no special difficulty in concealing their identification as banded men; but it is plain from the evidence the accused found his prisoners a great embarrassment, as the near presence of the American forces threatened to make it impracticable for him to successfully conceal them and at the same time keep concealed his own status of guerrilla. Hence his resolution to murder his prisoners. Five of his followers agree in their testimony that, in obedience to the orders of the accused, they came together at an appointed place, and, with bolos in their hands, hacked to death these two men, the accused standing by to witness the execution of his orders. Cover-

ing the dead bodies with grass the band then dispersed, each man going his own way.'

"Another case:

#### Plain Case of Assassination.

"In the foregoing case it appears that this accused, Damascio Biating, native, about August 17, 1900, with one or more companions, assassinated with daggers, Private T. Burgey, Company C, Twenty-sixth Infantry, United States Volunteers, while the latter was acting as a guard of prisoners hauling water for the garrison stationed at Baratoc Neuvo, Panay. It also appears that the accused participated in similar assassinations of a native, Gervacio Besas, August 29, 1900.

"To the first charge accused pleaded guilty and the evidence fully sustains the charge, and also the second charge.

"Accused claims to have been a regular insurgent soldier, operating against United States troops, of which Private Burgey was one, and to have been acting under the orders of his superiors. Opposed to this plea is the fact that he was within the American lines, uniformed and disguised as a pacifico.

"I read only here and there:

"In the foregoing case it appears that the accused, Juan Biron, an alleged lieutenant of the insurgent army, captured at Bascaran, Albay, one Felix Losedo, a scout in the employ of the United States, bound him to a tree and then with a razor cut off an ear and slashed his eyes with the intent to blind him, with the result that the sight of one was totally destroyed and that of the other permanently impaired.'

"Again:

"In the foregoing case it appears that the accused, Julian Confesor, native, while holding the respective offices of presidente and vice presidente of the Pueblo of Cabatuan, during a portion of which time he was under oath of allegiance to the government, systematically exerted his individual energies and official functions to the aid and assistance of the insurgents by supplying them with information, money and needed supplies. General orders were issued by him to the police to abstract arms from the American soldiers where opportunity presented itself; to kill American soldiers where they could be individually isolated from their companions, and specifically it is shown that he caused two of the policemen of his pueblo to assassinate Private George O. Hill, Eighteenth United States Infantry, and then sent the rifle of the dead soldier to the insurgents.'

"Another case:

"Rosario Espiritu, a Filipino and resident of Bacoar, Island of Luzon, P. I., did, on or about the 15th day of November, 1899, then, as now, a time of insurrection, at Bacoar, Island of Luzon, P. I., then, as now, a place under the United States military occupation and government, feloniously, willfully and with malice aforethought, kill and murder one Private George A. Wagner, Company F, Fourteenth United States Infantry, then and there present and in the discharge of his duty, by shooting him, the said Wagner, in the abdomen with a revolver, and by stabbing him, the said Wagner, with a sharp instrument commonly called a bolo.'

"These are all where they were within our lines. I could multiply them. I have pages of them here which I will print as an appendix. Here is another:

"At or near the rancheria of Sabel, Union, Luzon, during the month of March, 1900, this accused ordered a squad of his command to kill these prisoners with bayonets at a preconcerted signal. His escort

was so disposed in marching as to favor this purpose and on reaching an isolated part of the road a corporal stepped in front of the victims, took off his hat, which was the signal agreed upon, whereupon the soldiers behind, with fixed bayonets, sprang forward and ran them through from the back. Private Husketh, not dying immediately, was shot with a rifle by order of and in presence of the accused.

"Again:

"In the foregoing case it appears that these accused, Dionicio de la Cruz and Pio de Castro, about May 11, 1901, at barrio Gatboca, Calumpit, seized, bound and conveyed to the fields one Juan Salvador, a native sailor of the United States gunboat Charleston. There, while the victim was held by De la Cruz, he was stabbed repeatedly in the stomach and abdomen by De Castro, who literally obeyed De la Cruz's orders to "cut out the intestines of deceased."

#### Murder of Prisoners.

"And another:

"In the foregoing case of Clemente de la Cruz it appears from the evidence that the accused was a sergeant in the insurgent forces and was given charge of a detachment of six men, with orders to conduct to a safe distance from the public highway five American prisoners taken captive by a successful ambush two or three days previously and to kill said prisoners with daggers or bolos. In obedience to his orders, willingly and unhesitatingly undertaken, the accused bound the arms of his appointed victims behind their backs, and, taking them to a distance of about four and a half miles from camp into a marsh known as the Candaba Swamp, then and there caused his men to assail them with their bolos until they were dead."

"Let me read one more. I will print all these. We shudder, and naturally, at the order which is said to have been given, and quoted in the Waller trial, by General Smith. I take from the press dispatches these brief extracts of the evidence at the court-martial:

"Corporal Pritchard of the Ninth Infantry, who took part in the fight at Candara, testified that he saw boys of 12 years of age fighting and slashing with bolos.

"Sergeant Bonicastle of the Ninth Infantry, an Apache, testified regarding Captain P. K. Schoeffel's fight in Dapdap Province, Samar, against Dios' fanatics. He saw a soldier attacked by two boys under 15, one armed with a bolo and the other with a dagger.

"Private Nicklo of the Ninth Infantry explained the dangers and difficulties of service in the Island of Samar.

"Private Nanjo of the Tenth Cavalry told how Americanistas (natives friendly to the Americans) were butchered there in cold blood.

"Sergeant Brumly of the Ninth Infantry, a survivor of the Balangiga massacre, described that disaster, including the mutilation of the American dead by the Samar natives."

"Here is an account which I cut from Collier's Weekly, April 26, report by Stephen Bonsal, whose previous letters the Senator from Colorado (Mr. Teller) and others have printed in the Record:

"One more incident of the many that came under my observation and reconciled me to the character of the war we are waging in Samar: A midshipman just out from Annapo-

lis was patrolling the strait in a yawl from the flagship New York. He was after the smugglers who bring arms to the insurgents from Leyte. The great gale had blown the yawl out into the Pacific, and when it subsided little Noah and his six men were exhausted. Their water had given out, and they tried to make Basay, Admiral Rogers having ordered them not to land except at an armed post. The wind died away while Basay was still two miles off.

"Two of his men were delirious with thirst, and there was the little village of Nipa Nipa only a few hundred yards away flying the white flag of peace and friendship. Noah, as he floated near the shore, lifted up his empty water jar, and the kindly people on the beach understood. They lifted up water jars overflowing with the precious fluid and pointed at the white flag to reassure him. He pushed his boat into the surf, and, telling his men to wait in the boat, advanced some fifty yards up the beach, where the good samaritans were awaiting him with their water jars. As he drank the first deep draft two of the natives, one a woman, crept behind him and buried their knives in his back."

"That little midshipman comes from Chattanooga, Tenn., I believe, and he lies buried there in the Philippines, the victim of as foul a murder as ever was done. We do not whine as a people over our men who die in battle with their face to the foe. Our grief is proud, and we lift them up and bury them with the silent sorrow of a nation. But that boy was murdered, and if justice is sought I want it on his murderers as well as on American soldiers. (Applause in the galleries.)

#### Treatment of an American Sailor.

"Mr. President, one more case and I have done. The man was an American sailor, and I ask the attention of the Senate to this case:

"With respect to the first specification, it is made plain by the testimony that after the fight had by Lieutenant Gilmore of the Navy, near Baler, four American sailors lay on the bank of the Sabali River, and that the accused and a detachment of insurgent soldiers were detailed as a burial party. This party, accompanied by one Quicoy, a staff officer of the insurgent chief who commanded the district wherein Baler is situated and the forces serving therein, proceeded to where the American lay and found two dead and two wounded. Four unarmed natives had been compelled to go along to act as gravediggers, and these were put to work preparing a grave sufficiently large to hold four bodies. The grave being completed the two dead sailors were placed in it, and the party then waited for the wounded to die.

"One of the latter was shot through the thigh; the other was shot in the chest as well as in the leg, and was near the point of death. The wounded men asked for water, and it was given them from the river, but beyond this no relief or assistance appears to have been given. When the third man died he was placed beside the other in the grave and the party again waited for the fourth man to die. His wound, however, was of a kind not necessarily fatal, death was slow in coming, so that the party became impatient. The grave diggers had begun about 9 A. M. and it was now past noon. The dying man asked for water and was able to drink when it was given to him. Shortly afterward he was placed in the grave beside his three com-

rades, and the native who was standing in the hole began covering him slowly from the feet, so as to give him time to die. In this way the body was covered to the neck, and then the grave digger called out, "What about this man; he is alive yet"; to which the accused replied, "Go on burying him," and it was done."

"Ah, Mr. President, I think when we read cases like that, and I have read only a very few out of many, we can understand at least why the incidents that we all so deplore have arisen.

"But, Mr. President, I have read thus far only what has been done to American soldiers and sailors. I have here, and I am going to print as an appendix, the proved cases in regard to friendly natives. I shall confine myself in speaking of the natives to some statistics. I will not weary the Senate by reading case after case. I will print them, with the permission of the Senate, as an appendix to my remarks. They well deserve reading and consideration, but they would consume more time than I can give them now.

"The actual number of natives returned by the officers in the different districts who have been assassinated for sympathizing with Americans is three hundred and fifty. The number of natives who have been assaulted and mutilated for sympathizing with Americans is four hundred and forty-two. The number of municipal officers friendly to Americans who have been assassinated is sixty-seven, and the number of municipal officers who have been assaulted and mutilated is forty.

"We are told, Mr. President, that we have no friends among the Filipinos. Apparently the insurgents thought we had enough friends to make up this awful roll of assassination, for they were assassinated for being our friends, for being pacific natives, friendly to the Americans. Why, Mr. President, I have heard torrents of sympathy poured out for the insurgents fighting against the flag and the authority of the United States, and not one word of sympathy for the Filipinos, men of the same race, who are friendly to us, and ask only to live in peace beneath our flag. Has it come to this, that it is a crime to be friendly to America, and that the men who are cut down and mutilated and die because they are our friends are to have no sympathy? No great divine has yet thundered in his pulpit in behalf of those men on that list whose lives were as dear to them as were the lives of those Filipinos who were aiding the insurgents. They were our friends, and there are more of them there. I say that, whatever else may be true or false, if we go out of those islands and leave those friendly Filipinos to a fate like that, we are unworthy of the name of a great nation, and it will be a deeper infamy than any cruelty that has ever been proved. Those people trusted to us, they have been murdered for us, and those who survived and live under our protection are still entitled to our protection. I think that when we are mourning over the hostile Filipinos, we must turn aside for a moment and shed a tear for those who gave up their lives because they were our friends.

"Mr. President, I have occupied more time than I intended. I do not stand up here to defend in the remotest way any cruelties practiced upon helpless prisoners. I regret them, as I have said over and over again, as bitterly as any man can; but, as I have listened to this debate, I confess I have felt shocked beyond measure at the attacks made

upon the American Army. It is not a Republican army; it is not a Democratic army; it is the Army of the United States. Their honor is our honor. If they have done wrong, let us punish them; do not let us condone a single proved offense; do not let a single man proved guilty escape; but let us, oh, let us be just, at least to our own; let us remember when we judge, we living here in sheltered homes, far from the sound and the trials of war—let us remember not only their sufferings, but their temptations, their provocations, their trials. When we condemn Waller for shooting treacherous guides, who lured ten of his men to death by starvation, when we think of that little band of his that struggled through the wilderness of Samar, where no Spaniard had ever gone, and came out on the other side delirious with suffering, so that Waller himself was reported, when he first reached Manila, to be out of his mind, let us remember the circumstances ere we condemn.

**The Army's Honor Is the Nation's.**

"Think of those five or six hundred posts scattered all over those tropical islands with little squads of fifteen or sixteen men under the command very often of a sergeant, under the command very often of a young second lieutenant, perhaps just a boy from West Point or just graduated from some American college, living there among people appar-

ently friendly, and the first thing this boy in command, or this sergeant in command knows is that one of his men has been assassinated in the night. Oh, Mr. President, those are the things that haddened their hearts and made them feel that there was deadly treachery about them.

"There is but one testimony as to their treatment of the friendly natives. Soldiers and officers alike treat them as we should expect Americans to treat people of that kind—generously and humanely.

"Now, Mr. President, I do not seek to defend any cruelty, but I do want to have justice done to the American Army. I want the people of the country to know when they read of cruelties to the hostile Filipino what the provocation has been; I want them to think what our men have suffered and endured; I want, and we can afford to give, absolute justice to the American Army. I do not wish to be put in a position of being the defender of cruelties; but if I must take my choice between men, then I am for the friendly native, the friend of America, against the men in arms against the United States. I am for the American Army against the insurgents. I do not like to hear that Army assailed as it has been assailed. It is our Army; its glory is our glory. We cannot tarnish that glory without tarnishing the glory and fame of the country abroad.

When we heap obliquely upon them on account of these cruelties, I say again, remember the provocation; remember the faces of the dead boys under the sands of Luzon—not dead by battle, but dead by murder; remember the dead and the treatment of captured prisoners, and let us show some little understanding of the trials which those officers and those soldiers have had to undergo.

"No, Mr. President, the scheme has been to raise this cry about cruelties in the Philippines in order to make it react upon the party in power. Ah, Mr. President, the American Army ought not to be subjected to experiments like that. It is not made to be the foot ball of politics, and what it does or does not do to be used to raise up or to pull down any political party. It is the Army of all Americans alike. But when justice has been done, when the guilty have been punished for proved offenses, when the whole story has been made up—ah, Mr. President, when that day comes, I believe that after all that has been said, and all the denunciation which has been heaped upon our troops and our officers has fallen into silence, we shall find that in the history of the country the record of that Army, gleaming with victories from Trenton to Manila, will shine bright in the annals of the Republic when those who now vilify it are but noteless blots on a remembered name."

# The Declaration of Independence and the Monroe Doctrine Discarded.

SPEECH BY GEORGE F. HOAR, OF MASSACHUSETTS.

Delivered in the United States Senate, Thursday, May 22, 1902.

On the pending Philippine Government Bill, Senator Hoar addressed the Senate as follows:

## Declaration of Independence and the Monroe Doctrine.

Mr. President—I have something to say, which I will say as briefly and as compactly as I may, upon the pending bill. We have to deal with a territory 10,000 miles away, 1,200 miles in extent, containing 10,000,000 people. A majority of the Senate think that people are under the American flag and lawfully subject to our authority. We are not at war with them or with anybody. The country is in a condition of profound peace as well as of unexampled prosperity. For us the temple of Janus is open. The world is in profound peace, except in one quarter, in South Africa, where a handful of republicans are fighting for their independence, and have been doing better fighting than has been done on the face of the earth since Thermopylae, or certainly since Bannockburn. The Filipinos have a right to call it war. They claim to be a people and to be fighting for their rights as a people. The Senator from Ohio (Mr. Foraker) admits that there is a people there, although he says they are not one people, but there are several. But we cannot be at war under the constitution without an act of Congress.

We are not at war. We made peace with Spain on the 14th day of February, 1899. Congress has never declared war with the people of the Philippine Islands. The President has never asserted nor usurped the power to do it. We are only doing on a large scale exactly what we have done at home within a few years past, where the military forces of the United States have been called out to suppress a riot or a tumult or a lawless assembly, too strong for the local authorities. You have the same right to administer the water torture, or to hang men by the thumbs, to extort confession, in one case as in the other. You have the same right to do it in Cleveland or Pittsburg or at Colorado Springs as you have to do it within the Philippine Islands. I have the same right as an American citizen or

an American Senator to discuss the conduct of any military officer in the Philippine Islands that I have to discuss the conduct of a marshal or a constable or a captain in Pittsburg or in Cleveland if there were a labor riot there. That duty I mean to perform to the best of my ability, fearlessly as becomes an American citizen, and honestly as becomes an American Senator. But I have an anterior duty and an anterior right to talk about the action of the American Senate, both in the past and in the present, for which, as no man will deny, I have my full share of personal responsibility.

## Bound to Keep the Faith.

The Senator from Ohio, in his very brilliant and forcible speech, which I heard with delight and instruction, said that we were bound to restore order in the Philippine Islands, and we cannot leave them till that should be done. He said we were bound to keep the faith we pledged to Spain in the treaty, and that we were bound before we left to see that secured. He said we were bound especially to look out for the safety of the Filipinos who had been our friends, and that we could not, in honor, depart until that should be made secure. All that, Mr. President, is true. So far as I know, no man has doubted it. But these things are not what we are fighting for; not one of them. There never was a time when, if we had declared that we only were there to keep faith with Spain and that we only were there to restore order, that we were only there to see that no friend of ours should suffer at the hands of any enemy of ours, that the war would not have ended in that moment.

You are fighting for sovereignty. You are fighting for the principle of eternal dominion over that people, and that is the only question in issue in the conflict. We said in the case of Cuba that she had a right to be free and independent. We affirmed in the Teller resolution, I think without a negative voice, that we would not invade that right and would not meddle with her territory or anything that belonged to her. That declaration was a declaration of peace as well as of

righteousness, and we made the treaty, so far as concerned Cuba, and conducted the war and have conducted ourselves ever since on that theory—that we had no right to interfere with her independence; that we had no right to her territory or to anything that was Cuba's. So we only demanded in the treaty that Spain should hereafter let her alone. If you had done to Cuba as you have done to the Philippine Islands, who had exactly the same right, you would be at this moment in Cuba just where Spain was when she excited the indignation of the civilized world and we compelled her to let go. And if you had done in the Philippines as you did in Cuba you would be to-day or would soon be in those islands as you are in Cuba.

## Sovereignty That People Denied.

But you made a totally different declaration about the Philippine Islands. You undertook in the treaty to acquire sovereignty over her for yourself, which that people denied. You declared not only in the treaty, but in many public utterances in this chamber and elsewhere, that you had a right to buy sovereignty with money, or to treat it as the spoils of war or the booty of battle. The moment you made that declaration the Filipino people gave you notice that they treated it as a declaration of war. So your generals reported, and so Aguinaldo expressly declared. The President sent out an order to take forcible possession, by military power, of those islands. General Otis tried to suppress it, but it leaked out at Iloilo through General Miller. General Otis tried to suppress it and substitute that they should have all the rights of the most favored provinces. He stated that he did that because he knew the proclamation would bring on war. And the next day Aguinaldo covered the walls of Manila with a proclamation stating what President McKinley had done, and saying that if that were persisted in he and his people would fight, and General MacArthur testified that Aguinaldo represented the entire people. So you deliberately made up the issue for a fight for dominion on one side and a fight for liberty on the other.

Then when you had ratified the treaty you

voted down the resolution in the Senate, known as the Bacon resolution, declaring the right of that people to independence, and you passed the McEnery resolution, which declared that you meant to dispose of those islands as should be for the interest of the United States. That was the origin of the war, if it be war. That is what the war is all about, if it be war; and it is idle for my brilliant and ingenious friend from Ohio to undertake to divert this issue to a contest on our part to enable us to keep faith with our friends among the Filipinos, or to restore order there, or to carry out the provisions of the treaty with Spain. Now, Mr. President, when you determined to resort to force for that purpose, you took upon yourself every natural consequence of that condition. The natural result of a conflict of arms between a people coming out of subjection and a highly civilized people—one weak and the other strong, with all the powers and resources of civilization—is inevitably, as everybody knows, that there will be cruelty on one side and retaliation by cruelty on the other. You knew it even before it happened, as well as you know it now that it has happened; and the responsibility is yours.

If, in a conflict between a people fighting for independence and liberty, being a weak people, and a people striving to deprive them of their independence and liberty, being a strong people always, if the nature of man remains unchanged, the war is converted in the end into a conflict in which bushwhacking, treachery, and cruelty have to be encountered. The responsibility is with the men who made the war. Conflicts between white races and brown races, or red races or black races, between superior races and inferior races, are always cruel on both sides, and the men who decree with full notice that such conflict shall take place are the men on whom the responsibility rests. When Aguinaldo said he did not desire the conflict to go on, and that it went on against his wish, he was told by our general that he would not parley with him without total submission. My friend from Wisconsin declared in the Senate that we would have no talk with men with arms in their hands, whether we were right or wrong. The responsibility of everything that has happened since, which he must have foreseen if he knew anything of history and human nature, rests upon him and the men who acted with him.

#### Chose War Instead of Peace.

We cannot get rid of this one fact, we cannot escape it, and we cannot flinch from it. You chose war, instead of peace. You chose force, instead of conciliation, with full notice that everything that has happened since would happen as a consequence of your decision. Had you made a declaration to Aguinaldo that you would respect their title to independence, and that all you desired was order and to fulfill the treaty and to protect your friends, you would have disarmed that people in a moment. I believe there never has been a time since when a like declaration made by this chamber alone, but certainly made by this chamber and the other House, with the approval of the President, would not have ended this conflict and prevented all these horrors.

Instead of that, gentlemen talked of the wealth of the Philippine Islands and about the advantage to our trade. They sought to dazzle our eyes with nuggets of other men's gold. Senators declared in the Senate Chamber and on the hustings that the flag never shall be hauled down in the Philip-

pine Islands, and those of you who think otherwise keep silent and enter no disclaimer. The Senator from Ohio says our policy has not been in the dark, but it has been a policy published to the world. Has it? Has it? I want to ask. What was it which created the war, which keeps it up, which created and keeps up the hatred and will make war break out again and again for centuries to come, unless human nature be changed or be different in their bosoms from what it is in ours? It is because you keep a padlock on your lips.

This debate for the last three years has contained many audacities. One thing, however, no Senator has been audacious enough to affirm, and that is that if, he were a Filipino, as he is an American, he would not do exactly, saving only acts of cruelty, as the Filipino has done.

I find myself beset with one difficulty whenever I undertake to debate this question. I am to discuss and denounce what seems to me one of the most foolish and wicked chapters in history. Yet I am compelled to admit that the men who are responsible for it are neither foolish nor wicked. On the contrary, there are no men on the face of the earth with whom on nearly all other subjects I am in general more in accord, to whose sound judgment or practical sagacity I am more willing to defer, or to whose patriotism or humanity I am more willing to commit the honor or the fate of the republic.

#### The Flag Has Been Hauled Down.

It may be that it is presumption to act on my own judgment against that of my valued and beloved political friends. But we do not settle questions of righteousness or justice on any man's authority. Still less do we settle them by a show of hands. Each man is responsible only to his own conscience, which is the only authority he must obey. Besides, Mr. President, I have on my side in this great debate the fathers of the republic, the statesmen who adorned its first century, the founders of the Republican party, every one of whom declared and lived and died by the doctrine you are now repudiating. I have also your own authority, your own declaration, made only three years ago, at the beginning of the Spanish war. When you declared that Cuba of right—of right—ought to be a free and independent State, and that the United States would not acquire her territory as the result of the war with Spain, you settled as a matter of duty and of justice this whole Philippine question. I have, however, at least, to congratulate my friends who differ from me on an increased sobriety in dealing with this matter. We are not flourishing nuggets of gold in the Senate just now. The devil imperialism is not promising us all the kingdoms of this world and the glory thereof, if we fall down and worship him. You have just hauled down the American flag in China, where it once floated, and you have just hauled it down in Cuba, where it has floated for three years. For the words, "Interests of the United States," which the McEnery resolution declared were to determine our actions in governing these islands, you substitute in this bill the declaration that "The rights acquired in the Philippine Islands under the treaty with Spain are to be administered for the benefit of the inhabitants of those islands."

"Sec. 10. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, 1898, are hereby

placed under the control of the Government of the Philippine Islands, to be administered for the benefit of inhabitants of the islands.

"Sec. 7. There are to be municipal and provincial governments as far and as fast as the governments are capable, fit and ready for the same, with popular representative government."

The share which you propose to admit these people in your scheme of government, is an admission that a large number of them are fit for self-government. You propose for them—to take effect in the near future, a constitution, not very different from that of Canada, where the crown of England appoints the governor general, and the governor general appoints the senate and there is a veto on every provincial law by the governor general, and a veto on every law of the Canadian Congress, not only by the governor general, but by the government at home.

#### Many Filipinos Are Our Friends.

The Senator from New Hampshire called a witness the other day to the effect that every Filipino would take a bride. Sir Robert Walpole said that of England. I acquit the majority of the Senate and the committee who report this bill from believing the charge made by my honorable friend from New Hampshire. They affirm that there are many Filipinos who are sincerely our friends. They admit, if I understand them, that there are in those islands many citizens accomplished and well educated, lawyers and merchants, conducting large affairs in trade, and they themselves propose to commit to these people at once, as soon as may be, large powers of government, retaining for us little more than the power of a veto.

What you have been fighting for all this time as your right, if you expect to enact this bill into law and to carry it out to practice, is to substitute a constitution of your making for one of their making; to have a dependency, which is what you want instead of a republic; which is what they want; to have fitness for the elective franchise determined by an authority which has its source ten thousand miles away instead of with the people at home; and to deny them independence, even if they are fit for it, so long as you please, without any regard to their desire. This investigation, I suppose, is yet upon the threshold. Your chief witnesses, so far, have been soldiers and governors who are committed to policies of subjugation. The investigation has been conducted by a committee of that way of thinking.

Yet we have got already some pregnant admissions, and some remarkable facts have already come to light. Governor Taft, if I understood him, concedes that nothing so far indicates that the existing policy has been good for the United States. It is only the benefit of the people of the Philippine Islands, in saving them from anarchy, or from foreign nations, in establishing schools for them, that vindicates what you have done so far. What you have done so far has been to get some few thousand children actually at school in the whole Philippine dominion. To get this result, you have certainly slain many times that number of parents. It would be without avail to repeat in the Senate to-day what was said at the time of the Spanish treaty, and afterwards when you determined to reduce the Philippine people by force to submission.

#### The Working of Two Doctrines.

What your fathers said when they founded the Republic; the declarations of the great leaders of every generation; our century of

glorious history, were appealed to in vain. Their lessons fell upon the ears of men dazzled by military glory and delirious with the lust of conquest. I will not repeat them now. My desire to-day is simply to call attention to the practical working of the two doctrines—the doctrine of buying sovereignty or conquering it in battle, and the doctrine of the Declaration of Independence. For the last three years you have put one of them in force in Cuba and the other in the Philippine Islands. I ask you to think soberly which method, on the whole, you like better. I ask you to compare the cost of war with the cost of peace, of justice with that of injustice, the cost of empire with the cost of republican liberty, the cost of the way of America and the way of Europe, of the doctrine of the Declaration of Independence with the doctrine of the Holy Alliance. You have tried both, I hope, to your heart's content. But before I do that I want to call attention to one important fact in our history not generally known. It is very interesting in its connection with this debate.

John Quincy Adams, as everybody knows, was the father of what we call the Monroe Doctrine. He secured its adoption through the weight of his great influence, by a hesitating President and a reluctant Cabinet. It is not so well known that he placed the Monroe Doctrine solely upon the doctrine that just governments must rest upon the consent of the governed. That he declared to be its only foundation, and that so founded it rested upon the eternal principle of righteousness and justice. A thorough examination has lately been made by an accomplished historical scholar, Worthington C. Ford, aided by Charles Francis Adams, grandson of John Quincy Adams, of the unpublished Adams manuscripts at Quincy, the archives of the Department of State, and the papers of President Monroe, lately published by Congress. I can relate this story in a moment. I think it an important contribution to this debate.

Mr. President, I discussed some time ago, and more than once, this attempt to buy sovereignty with money of a dispossessed tyrant, or to get it as booty or spoils of battle. I showed that it is in contradiction of the great American doctrine that just governments rest only on the consent of the governed—in flat contradiction of the doctrine on which this government is founded and of the uniform tradition of all our statesmen from 1776 to the adoption of the Spanish treaty. I do not mean to repeat that argument now. It was met by the affirmation that Jefferson disregarded it when we bought Louisiana, and that John Quincy Adams disregarded it when we acquired Florida, and that Abraham Lincoln disregarded it when he put down the rebellion, and that Charles Sumner disregarded it when he urged the purchase of Alaska.

#### We Can Acquire Territory.

It was never denied that we could acquire territory and that we could govern it after it was acquired. The doctrine was that if the territory be inhabited by that vital and living being we call a people, as distinct from a few scattered and unorganized inhabitants, neither controlling it nor governing themselves, that people have a right to govern themselves and to determine their own destiny after their own fashion. This is the American exposition of the law of nations. Thomas Jefferson never departed from it. He regarded the Louisiana territory as something not worth taking. He

declared that it would not be inhabited for a thousand years. He only wanted New Orleans. The rest of the territory was forced upon him by Napoleon. There was no people, in the sense of the law of nations, either in New Orleans or in the Louisiana territory. There was no people there that could make a government or a treaty.

Abraham Lincoln put down the Rebellion, because by his and our interpretation of the Constitution we were one people and not two—to which doctrine the Southern people had consented when they adopted the Constitution; and, beside, if you had counted the whole people, black and white, there was never a majority on the side of secession in any single Southern State. Sumner again and again declared that there was nothing in Alaska which could be called a people, and that if there were the United States would never be willing to acquire them without their consent; and that we would never take Canada, if we could get it, except with the full approbation of her people. If my friends of the press or in the Senate who still stick to this ten hundred times refuted fallacy are not content they will never be persuaded, though Thomas Jefferson and John Quincy Adams and Abraham Lincoln and Charles Sumner rise from the dead.

#### In Contradiction of Monroe Doctrine.

I do not wish to detain the Senate by renewing that debate. But I wish to cite a chapter of the history of this country, which shows that your present policy is in contradiction of the Monroe doctrine, as it is in contradiction of the Declaration of Independence. It is well known that John Quincy Adams was the author of the Monroe doctrine. He carried his point over the opposition of the Cabinet and reluctance on the part of the President. When Canning proposed that the United States join England in asserting that the holy alliance should not reduce any South American country under the dominion of Spain, Mr. Adams said that we would not join England, although she asked us to do it. He said we were not to be a little cockboat in the wake of the British man-of-war. He counseled the President, and his advice was taken, that this country should make its declaration to Russia, the head and strength of the holy alliance, and he put that declaration expressly and solely on the doctrine of the consent of the governed, affirmed in our Declaration of Independence. He declared that doctrine was a doctrine of absolute right and righteousness.

It will take but a moment to tell the story as it appears in the archives in our Department of State, in the Monroe papers lately published, in Adams' Diary, and in the Adams manuscripts at Quincy, which have been made public within a few days. In August, September and October, 1823, there came to the State Department of Washington from Mr. Rush dispatches containing letters from Mr. Canning. These letters suggested designs of the holy alliance against the independence of the South American colonies, and proposed co-operation between Great Britain and the United States against that alliance. President Monroe asked the advice of Mr. Jefferson and Mr. Madison, and suggested that we should make it known that we should view an attack by the European powers upon the colonies of Spain as an attack upon ourselves. But in the meantime the Russian minister, Baron Tuyl, on the 16th of October, communicated to the Secretary of State a declaration of the Emperor of Russia that the

political principles of that power would not permit him to recognize the independence of the revolted colonies of Spain.

#### Monroe Doctrine Proposed.

Mr. Adams saw and seized his opportunity. He gave this advice to President Monroe, as appears by his diary, on November 7, 1823:

"I remarked that the communications recently received from the Russian Minister, Baron Tuyl, afforded, as I thought, a very suitable and convenient opportunity for us to take our stand against the Holy Alliance, and at the same time decline the overtures of Great Britain. It would be more candid and more dignified to avow our principles explicitly to Baron Tuyl than to go in as a cockboat in the wake of the British man-of-war. This idea was acquiesced in on all sides."

At the Cabinet meeting of November 15, 1823, the subject was again discussed.

"Letters were read from Mr. Jefferson, who was for acceding to the pending proposal. Mr. Madison was less decisively pronounced, but thought the movement on the part of Great Britain impelled more by her interest than by a principle of general liberty. President Monroe was quite despondent."

Adams proceeds:

"I soon found the source of the President's despondency with regard to South American affairs. Calhoun is perfectly moonstruck by the surrender of Cadiz, and says the Holy Allies, with 10,000 men, will restore all Mexico and all South America to the Spanish dominion. I did not deny that they might make a temporary impression for three, four or five years, but I no more believe that the Holy Allies will restore the Spanish dominion upon the American continent than that Chimborazo will sink beneath the ocean. But, I added, if the South Americans were really in a state to be so easily subdued, it would be but a more forcible motive for us to beware of involving ourselves in their fate. I set this down as one of Calhoun's extravaganzas. He is for plunging into a war to prevent that which, if his opinion of it is correct, we are utterly unable to prevent. He is for embarking our lives and fortunes in a ship which he declares the very rats have abandoned. Calhoun reverts again to his idea of giving discretionary power to our Minister to accede to all Canning's proposals, if necessary, but not otherwise. After much discussion, I said I thought we should bring the whole answer to Mr. Canning's proposals to a test of right and wrong. Considering the South Americans as independent nations, they themselves, and no other nation, had the right to dispose of their condition. We have no right to dispose of them, either alone or in conjunctions with other nations. Neither have any other nations the right of disposing of them without their consent. This principle will give us a clew to answer all Mr. Canning's questions with candor and confidence, and I am to draft a dispatch accordingly. (Adams' Memoirs, p. 186).

#### Adams Seized Opportunity.

Before Mr. Adams prepared the draft two more dispatches were received from Rush, dated the second and tenth of October, indicating a decided change in Canning's tone, and almost an indifference on his part to pursue his project of united action. Meantime, there came a new communication from Russia, which gave Adams his opportunity,

He put his reply on the express and impregnable ground of the consent of the governed, as declared in our Declaration of Independence. On the 25th of November he made, for the President's use, a draft of observations upon the communications recently received from the Russian minister. The paper begins as follows:

"The Government of the United States of America is essentially republican. By their constitution it is provided that 'the United States shall guarantee to every State in this Union a republican form of government, and shall protect them from invasion.'

"The principles of this polity are: 1. That the institution of government to be lawful, must be pacific, that is, founded upon the consent and by the agreement of those who are governed; and 2, that each nation is exclusively the judge of the government best suited to itself, and that no other nation can justly interfere by force to impose a different government upon it. The first of the principles may be designated as the principle of liberty, the second as the principle of national independence; they are both principles of peace and of good will to men.

"A necessary consequence of the second of these principles is that the United States recognize in other nations the right which they claim and exercise for themselves of establishing and modifying their own governments, according to their own judgments and views of their interests, not encroaching upon the rights of others. (Ford, page 38)."

Mr. Adams states later in the same document:

"In the general declarations that the allied monarchs will never compound and never will even treat with the revolution, and that their policy has only for its object by forcible interposition to guarantee the tranquillity of all the states of which the civilized world is composed, the President wishes to perceive the sentiments, the application of which is limited, and intended in their results to be limited to the affairs of Europe. (Ford, page 40)."

Mr. Monroe and Mr. Calhoun hesitated in regard to the insertion of this paragraph in the answer to Russia, but neither of them, as appears from the full narrative in Mr. Adams' diary, objected to the doctrine. They thought it might be offensive to Russia. Accordingly Mr. Adams read the paper to Baron Tnyll, omitting that paragraph, but received a letter from the President a little later, yielding his objections and consenting to its retention.

Mr. Worthington C. Ford, in an interesting paper contained in the "Proceedings of the Massachusetts Historical Society for January, 1902," narrates the whole story, and says in conclusion:

"That the timidity of the President was awakened, that record shows; but the persistence of Adams and the very weighty arguments he advanced in its favor induced Monroe to yield, but not until it was too late for the purpose intended. (Ford, page 40)."

Mr. Ford adds, after citing the Russian minister's communication:

"This gave Adams his opening. If the emperor sat up to be the mouthpiece of Divine Providence it would be well to intimate that this country did not recognize the language spoken and had a destiny of its own, also under the guidance of Divine Providence. If Alexander could exploit his political principles, those of a brutal repressive

policy, the United States could show that another system of government, remote and separate from European traditions and administration, could give rise to a new and more active political principle—the consent of the governed—between which and the emperor there could not exist even a sentimental sympathy. (Ford, page 15.)"

#### Principle of Brutal Selfishness.

So, Mr. President, if you have your own way, and keep on in the path you are treading, you have not only repealed the Declaration of Independence, but you have left for the Monroe doctrine only the principle of brutal selfishness. You have taken from that doctrine, which is the chief glory of this country, from the time of the treaty of peace in 1783, till the inauguration of Abraham Lincoln in 1861, its foundation in righteousness and freedom, and you found it only upon selfishness. You say not that it is right, but only that it is for our interest. If hereafter you go to war for it—if you have your way—it will not be for the glory of the liberator or for the principle on which the republic is founded. You will only have Ancient Pistol's solace:

I shall sutler be unto the camp,  
And profits will accrue.

John Quincy Adams lived to see the great doctrine he had been taught from his cradle, which he had drawn in with his mother's milk, derided and trampled under foot by a people drunk with conquest and dazzled by military glory. He lived to see the President take soldiers and not statesmen for his counselors. He lived to see slavery entrenched in every department of the government—in the White House, in court, in Congress, in trade, and in the pulpit. But he never wavered nor faltered in his sublime faith. He faced the stormy and turbulent waves of the House of Representatives at eighty. He took for his motto: "Alteri Seculo"—a motto which his son inscribed at his burial place at Quincy. But the new age came sooner even than the faith of John Quincy Adams had predicted. In less than thirteen years from his death, Abraham Lincoln, whom the people sent to the White House, had declared on his way thither the sublime doctrine of the consent of the governed to be that on which the Republic is founded, and for which, if need, he was willing to be assassinated. I think, therefore, that the men who differ from their political associates, and even from majorities, may find something of consolation and something of hope in the company of John Quincy Adams and in the company of Abraham Lincoln.

#### Doctrines in Sharp Antagonism.

When we ratified the treaty of Paris we committed ourselves to one experiment in Cuba and another in the Philippine Islands. We had said already that Cuba of right ought to be free and independent. So when in the treaty Spain abandoned her sovereignty the title of Cuba became at once complete. We were only to stay there to keep order until we could hand over Cuba to a government her people had chosen and established. By the same treaty we bought the Philippine Islands for \$20,000,000 and declared and agreed that Congress should dispose of them. So, according to those who held the treaty valid, it became the duty of the President to reduce them to submission, and of Congress to govern them. Here the two doctrines are brought into sharp antagonism.

In Cuba, of right, just government, according to you, must rest on the consent of the governed. Her people are to "institute a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." In the Philippine Islands a government is to be instituted by a power ten thousand miles away, to be in the beginning a despotism, established by military power, and to be such, to use the language of the McEnery resolution, as shall seem "for the interest of the United States." You have given both doctrines a three years' trial. Three years is sometimes a very long time and sometimes a very short time in human affairs. I believe the whole life of the Saviour, after He first made His divine mission known, lasted but three years. Three years has wrought a mighty change in Cuba, and it has wrought a mighty change in the Philippine Islands. We have had plenty of time to try both experiments. Now, what has each cost you, and what has each profited you? In stating this account of profit and loss I hardly know which to take up first, principles and honor or material interests—I should have known very well which to have taken up three years ago—what you call the sentimental, the ideal, the historical on the right side of the column; the cost or the profit in honor or shame and in character and in principle and moral influence, in true national glory; or the practical side, the cost in money and gain, in life and health, in wasted labor, in diminished national strength, or in prospects of trade and money getting.

I should naturally begin where our fathers used to begin. But somehow the things get so inextricably blended that we cannot keep them separate. This world is so made that you cannot keep honesty, and sound policy, and freedom and material property, and good government, and the consent of the governed, apart. Men who undertake to make money by cheating pay for it by failure in business. If you try to keep order by military despotism you suffer from it by revolution and by barbarity in war. If a strong people try to govern a weak one against its will, the home government will get despotic, too. You cannot maintain despotism in Asia and a republic in America. If you try to deprive even a savage or a barbarian of his just rights you can never do it without becoming a savage or a barbarian yourself.

#### Two Kinds of Sentimentality.

Gentlemen talk about sentimentalities, about idealism. They like practical statesmanship better. But, Mr. President, this whole debate for the last four years has been a debate between two kinds of sentimentality. There has been practical statesmanship in plenty on both sides. Your side have carried their sentimentalities and ideals out in their practical statesmanship. The other side have tried and begged to be allowed to carry theirs out in practical statesmanship also. On one side have been these sentimentalities. They were the ideals of the fathers of the Revolutionary time, and from their day down till the day of Abraham Lincoln and Charles Sumner was over. The sentimentalities were that all men in political right were created equal; that governments derive their just powers from the consent of the governed, and are instituted to secure that equality; that every people—not every scattering neighborhood or settlement without organic life, not every portion of a people who may be temporarily discontented, but

the political being that we call a people—has the right to institute a government for itself and to lay its foundations on such principles and organize its powers in such form as to it and not to any other people shall seem most likely to effect its safety and happiness. Now, a good deal of practical statesmanship has followed from these ideals and sentimentalities. They have builded forty-five states on firm foundations. They have covered South America with republics. They have kept despotism out of the Western Hemisphere. They have made the United States the freest, strongest, richest of nations of the world. They have made the word republic a name to conjure by the round world over. By their virtue the American flag—beautiful as a flower to those who love it; terrible as a meteor to those who hate it—floats everywhere over peaceful seas, and is welcomed everywhere in friendly ports as the emblem of peaceful supremacy and sovereignty in the commerce of the world.

Has there been any practical statesmanship in our dealing with Cuba? You had precisely the same problem in the East and in the West. You knew all about the conditions in Cuba. There has been no lack of counselors to whisper in the ear of the President and Senate and House the dishonorable counsel that we should hold on to Cuba, without regard to our pledges or our principles, and that the resolution of the senator from Colorado was a great mistake. I do not know how other men may feel, but I think that the statesmen who have had something to do with bringing Cuba into the family of nations, when he voted for the Paris treaty, and when they look back on their career, that my friends who sit around me, when each comes to look back upon a career of honorable and brilliant public service, will count the share they had in that as among the brightest, the greenest and the freshest laurels in their crown.

I do not think I could honestly repeat all the compliments which the senator from Wisconsin is in the habit of paying to the senator from Colorado. He has gone against my grain very often, especially when his vote defeated the Bacon resolution. But I doubt if any man who has sat in this chamber since Charles Sumner died, or if all who sit here now put together have done a more important single service to the country than he did in securing the passage of the resolution which pledged us to deal with Cuba according to the principles of the Declaration of Independence.

#### Some Imperialist Ideals.

You also, my imperialistic friends, have had your ideals and your sentimentalities. One is that the flag shall never be hauled down, where it has once floated. Another is that you will not talk or reason with a people with arms in their hands. Another is that sovereignty over an unwilling people may be bought with gold. And another is that sovereignty may be got by force of arms, as the booty of battle or the spoils of victory.

What has been the practical statesmanship which comes from your ideals and your sentimentalities? You have wasted six hundred millions of treasure. You have sacrificed nearly ten thousand American lives—the flower of our youth. You have devastated provinces. You have slain uncounted thousands of the people you desire to bene-

fit. You have established reconcentration camps. Your generals are coming home from their harvest, bringing their sheaves with them, in the shape of other thousands of sick and wounded and insane to drag out miserable lives, wrecked in body and mind. You make the American flag in the eyes of a numerous people the emblem of sacrilege in Christian churches, and of the burning of human dwellings, and of the horror of the water torture. Your practical statesmanship which disdains to take George Washington and Abraham Lincoln or the soldiers of the Revolution or of the Civil War as models, has looked in some cases to Spain for your example. I believe—nay, I know—that in general our officers are humane. But in some cases they have carried on your warfare with a mixture of American ingenuity and Castilian cruelty.

Your practical statesmanship has succeeded in converting a people who three years ago were ready to kiss the hem of the garment of the American and to welcome him as a liberator, who thronged after your men when they landed on those islands with benediction and gratitude, into sullen and irreconcilable enemies, possessed of a hatred which centuries cannot eradicate.

The practical statesmanship of the Declaration of Independence and the Golden Rule would have cost nothing but a few kind words. They would have bought for you the great title of liberator and benefactor, which your fathers won for your country in the South American republics and in Japan and which you have won in Cuba. They would have bought for you the undying gratitude of a great and free people and the undying glory which belongs to the name of liberator. That people would have felt for you as Japan felt for you when she declared last summer that she owed everything to the United States of America.

#### The Cost of These Ideals.

What have your ideals cost you, and what have they bought for you?

1. For the Philippine Islands you have had to repeal the Declaration of Independence.

For Cuba you have had to reaffirm it and give it new luster.

2. For the Philippine Islands you have had to convert the Monroe doctrine into a doctrine of mere selfishness.

For Cuba you have acted on it and vindicated it.

3. In Cuba you have got the eternal gratitude of a free people.

In the Philippine Islands you have got the hatred and sullen submission of a subjugated people.

From Cuba you have brought home nothing but glory.

From the Philippines you have brought home nothing of glory.

5. In Cuba no man thinks of counting the cost. The few soldiers who came home from Cuba wounded or sick carry about their wounds and their pale faces as if they were medals of honor. What soldier glories in a wound or an empty sleeve which he got in the Philippines?

6. The conflict in the Philippines has cost you \$600,000,000, thousands of American soldiers—the flower of our youth—the health and sanity of thousands more, and hundreds of thousands of Filipinos slain.

Another price we have paid as the result of your practical statesmanship. We have sold out the right, the old American right, to speak out the sympathy which is in our

hearts for people who are desolate and oppressed everywhere on the face of the earth. Has there ever been a contest between power and the spirit of liberty, before that now going on in South Africa, when American senators held their peace because they thought they were under an obligation to the nation in the wrong for not interfering with us? I have heard that it turned out that we had no great reason for gratitude of that kind. But I myself heard an American senator, a soldier of the Civil War, declare in this chamber that, while he sympathized with the Boers, he did not say so because of our obligation to Great Britain for not meddling with us in the war with Spain. Nothing worse than that was said of us in the old slavery days. A great English poet before the Civil War, in a poem entitled "The Curse," taunted us by saying that we did not dare to utter our sympathy with freedom so long as we were the holders of slaves. I remember, after fifty years, the sting and shame I felt in my youth when that was uttered. I had hoped that we had got rid of that forever before 1865.

"Ye shall watch kings conspire  
Round the people's smoldering fire,  
And, warm for your part,  
Shall never dare, O, shame!  
To utter the thought into flame  
Which burns at your heart.  
Ye shall watch while nations strive  
With the bloodhounds—die or survive—  
Drop faint from their jaws,  
Or throttle them backward to death,  
And only under your breath  
Shall ye bless the cause."

#### The Cuban Teachers at Harvard.

Sometimes men are affected by particular instances who are not impressed by statistics of great numbers. Sterne's starling in its cage has moved more hearts than were ever stirred by census tables. Let me take two examples out of a thousand with which to contrast the natural result of the doctrine of your fathers with yours. I do not think there ever was a more delightful occurrence in the history of Massachusetts since the Puritans or the Pilgrims landed there, than the visit to Harvard two years ago of the Cuban teachers to the Harvard Summer School. The old university put on her best apparel for the occasion. The guests were many boys and fair girls, making you think of Tennyson's sweet girl graduates, who came to sit at the feet of old Harvard to learn something which they could teach to their pupils, and to carry back to their country and teach their own children undying gratitude to the great Republic. It was one of the most delightful lessons in all history of the gratitude of a people to its liberator, and of the affection of the liberator-Republic to the people it had delivered. Was there ever a more fitting subject for poetry or for art than the venerable president, surrounded with his staff of learned teachers and famous scholars, the foremost men in the Republic of letters and science, as he welcomed them, these young men and women, to the delights of learning and the blessings of liberty?

#### No Welcome for the Filipino.

Contrast this scene with another. It is all you have to show, that you have brought back, so far, from the Philippine Islands. You have no grateful youth coming to sit at your feet. You do not dare to bring here even a friendly Filipino to tell you, with unfettered lips, what his people think of you, or what they want of you. I read the other day,

In a Nebraska paper a terrible story of the passage through Omaha of a carload of maniacs from the Philippine Islands. The story, I believe, has been read in the Senate. I telegraphed to Omaha to the editor of a paper of high reputation; I believe, a zealous supporter of the policy of imperialism, to learn if the story was authentic. I am told in reply, and I am glad to know it, that the picture is sensational and exaggerated, but the substantial fact is confirmed that that load of young soldiers passed through that city lately, as other like cargoes have passed through before, maniacs and broken in mental health as the result of service in the Philippine Islands.

It is no answer to tell me that such horrors exist everywhere; that there are other maniacs at St. Elizabeth, and that every state asylum is full of them. Those unhappy beings have been visited, without any man's vault, by the mysterious providence of God, or if their affliction comes from any man's fault it is our duty to make it known and to hold the party guilty responsible. It is a terrible picture that I have drawn. It is a picture of men suffering from the inevitable result which every reasonable man must have anticipated of the decisions made in this chamber when we elected to make war for the principle of despotism instead of a policy of peace, in accordance with the principles of the Declaration of Independence.

#### Islands Cost Souls of Boys.

Mr. President, every one of these maniacs, every one of the many like freights of horror that came back to us from the Philippine Islands was once an American boy, the delight of some American home, fairer and nobler in his young promise, as we like to think, than any other the round world over. Ah! Mr. President, it was not \$20,000,000 that we paid as the price of sovereignty. It was the souls of these boys of ours that entered into the cost. When you determined by one vote to ratify the Spanish treaty; when you determined by one vote to defeat the Bacon resolution; when you declared, in the McEnery resolution, that we would dispose of that people as might be for the interest of the United States; when the Senator from Wisconsin said we would not talk to a people who had arms in their hands, although they begged that there should be no war, and that we would at least hear them; when some of you went about the country declaring that the flag never should be hauled down where it once floated, you did not know, because in your excitement and haste your intellectual vision was dazzled with empire, you did not know that this was to come. But you might have known it. A little reflection and a little reason would have told you. I wonder if the Republican editor who made that known was attacking the American Army. I wonder if those of us who do not like that are the friends or the enemies of the American soldier.

I cannot understand how any man, certainly how any intelligent student of history, could have failed to foretell exactly what has happened when we agreed to the Spanish treaty. Everything that has happened since has been the natural, inevitable, inexorable result of the policy you then declared. If you knew anything of human nature you knew that the great doctrine that just government depends on the consent of the governed, as applied to the relation of one people to another, has its foundation in the na-

ture of man itself. No people will submit, if it can be helped, to the rule of any people. You must have known perfectly well, if you had stopped to consider, that so far as the Philippine people were like us they would do exactly what we did and would do again in a like case. So far as they were civilized they would resist you with all the power of civilized war. So far as they were savage, they would resist you by all the methods of savage warfare.

#### End of the War Is Far Distant.

You never could eradicate from the hearts of that people by force the love of liberty which God put there.

For He that worketh high and wise,  
Nor pauseth in His plan,  
Will take the sun out of the skies  
Ere freedom out of man.

This war, if you call it war, has gone on for three years. It will go on in some form for three hundred years, unless this policy be abandoned. You will undoubtedly have times of peace and quiet, or pretended submission. You will buy men with titles, or office, or salaries. You will intimidate cowards. You will get pretended and fawning submission. The land will smile and seem at peace. But the volcano will be there. The lava will break out again. You can never settle this thing until you settle it right. I think my friends of the majority whatever else they may claim—and they can rightly claim a great deal that is good and creditable for themselves—will not claim to be prophets. They used to prophesy a good deal two years ago. We had great prophets and minor prophets. All predicted peace and submission, and a flag followed by trade, with wealth flowing over this land from the far East, and the American people standing in the Philippine Islands looking over with eager gaze toward China. Where are now your prophets which prophesied unto you? I fear that we must make the answer that was made to the children of Israel: "They prophesied falsely, and the prophets have become wind, and the word is not in them."

An instance of this delusion, which seems to have prevailed everywhere, is stated by Andrew Carnegie in the May number of the North American Review. He says:

"The writer had the honor of an interview with President McKinley before war broke out with our allies, and ventured to predict that if he attempted to exercise sovereignty over the Filipinos—whom he had bought at \$2.50 a head—he would be shooting these people down within thirty days. He smiled, and, addressing a gentleman who was present, said: 'Mr. Carnegie doesn't understand the situation at all.' Then turning to the writer, he said: 'We will be welcomed as their best friends.' 'So little,' says Mr. Carnegie, 'did dear, kind, loving President McKinley expect ever to be other than the friendly co-operator with these people.'"

A guerilla warfare, carried on by a weaker people against a stronger, is recognized and legitimate. Many nations have resorted to it. Our War of the Revolution in many parts of the country differed little from it. Spain carried it on against Napoleon when the French forces overran her territory and mankind sympathized with her. The greatest of English poets since Milton, William Wordsworth, described that warfare in a noble sonnet, which will answer, with scarcely the

change of a word, as a description of the Filipino people:

Hunger, and sultry heat, and nipping blast  
From bleak hilltop, and length of march by night

Through heavy swamp or over snow-clad height—  
These hardships ill-sustained, these dangers past,  
The roving Spanish bands are reached at last,  
Charged, and dispersed like foam; but as a flight  
Of scattered quails by signs do reunite,  
So these—and, heard of once again, are chased  
With combination of long-practiced art  
And newly kindled hope; but they are fled.  
Gone are they, viewless as the buried dead;  
Where now? Their sword is at the foeman's heart!  
And thus from year to year his walk they thwart,  
And hang like dreams around his gully bed.

I believe the American Army, officers and soldiers to be made up of as brave and humane men, in general, as ever lived. They have done what has always been done, and until human nature shall change, always will be done in all like conditions. The chief guilt is on the heads of those who created the conditions.

#### Soldiers Must Sustain Army.

One thing, however, I am bound to say in all frankness. I do not know but my statement may be challenged. But I am sure that nearly every well informed man who will hear it or read it will know that it is true. That is, that you will never get officers or soldiers in the standing army, as a rule, to give testimony which they think will be disagreeable to their superiors or to the War Department. I have letters in large numbers myself. I believe every Senator in this body, who is expected to do anything to inquire into these atrocities, has had abundant letters to the effect which I state. The same evil of which we are all conscious, which leads men in public life to be unwilling to incur unpopularity or the displeasure of their constituents by frankly uttering and acting upon their opinions, applies with a hundredfold more force when you summon a soldier or an officer to tell facts which will bear heavily on the administration of the war. I have had letters shown me by members of this body who vouched personally for the absolute trustworthiness of the writers, who detailed the horrors of the water torture and other kindred atrocities, which no inducement would lead them to make public.

The private soldier who has ended his term of service or who expects to end it and return to private life, is under less restraint. But when he tells his story he is met by the statement of an officer, in some cases, that it is well known that private soldiers are in the habit of "drawing the long bow," to use the phrase of one general whose name has been brought into this discussion. In other words, these generals are so jealous of the honor of the army, and their own, that they confine their jealousy to the honor of the officers, and expect you to reject these things on the assertion that the soldier is an habitual liar, and then they reproach the men who complain with being indifferent to the honor of the army.

Was it ever heard before that a civilized, humane, and Christian nation made war upon a people and refused to tell them what they wanted of them? You refuse to tell these people this year or next year or perhaps for twenty years, whether you mean in the end to deprive them of their independence or no. You say you want them to submit. To submit to what? To mere military force? But for what purpose or what end is that military force to be exerted? You decline to tell them.

Not only you decline to say what you want of them, except bare and abject surrender, but you will not even let them tell you what they ask of you.

#### Do the People Favor Our Cause?

The Senator from Ohio (Mr. Foraker) says it is asserted with a show of reason that a majority of the people favor our cause. General MacArthur denies this statement, and says they were almost a unit for Aguinaldo. Mr. Denby and Mr. Schurman, two of the three commissioners of the first Filipino Commission, deny the statement. General Bell, in his letter of December 13, 1901, says, "a majority of the inhabitants of his province have persistently continued their opposition during the entire period of three years, and that the men who accept local office from the governor and take the oath of allegiance do it solely for the purpose of improving their opportunity for resistance." That statement is concurred in by every department commander there. Certainly Major Gardener's apparently temperate and fair statement—about which we are to have no opportunity to examine him until Congress adjourns—does not say any such thing as that suggested by the Senator from Ohio.

But what is your cause? What is your cause that they favor? Do you mean that a majority of the Filipino people favor your killing them? Certainly not. Do you mean that a majority of the Filipino people, or that any one man in the Philippine Islands, according to the evidence of Governor Taft himself, favors anything that you are willing to do? The evidence is that some of them favor their admission as an American state and others favor a government of their own under your protection. Others would like to come in as a territory under our constitution. But is there any evidence that one human being there is ready to submit to your government without any right under our constitution of without any prospect of coming in as an American state? Or is there any evidence that any single American citizen, in the Senate or out of it, is willing that we should do anything that a single Filipino is ready to consent to? I have no doubt they will take the oath of allegiance. Undoubtedly they will go through the form of submission. Undoubtedly you have force enough to make the whole region a howling wilderness, if you think fit. Undoubtedly you can put up a form of government in which they will seem to take some share, and they will take your offices and your salaries. But when you come to getting anything which is not merely temporary; when you come to announce anything in principle, such as those on which governments are founded, you have not any evidence of any considerable number of people there ready to submit to your will unless they are compelled by sheer brutal force.

#### The Capture of Aguinaldo.

I do not wish to dwell at length on the circumstances which attended the capture of Aguinaldo. But as they have been elaborately defended in this body, and it is said that the officer who captured him had a good record before, and especially as he has been decorated by a promotion by the advice and consent of the Senate, I cannot let it pass in silence. I understand the facts to be that that officer disguised the men under his command in the dress of Filipino soldiers, wrote or caused to be written a forged letter to Aguinaldo, purporting to come from one of his officers, stating that he was about to bring him some prisoners

he had captured, and in that way got access to Aguinaldo's headquarters. As he approached he sent a message to Aguinaldo that he and his friends were hungry; accepted food at his hands, and when in his presence threw down and seized him; shot some of the soldiers who were about Aguinaldo, and brought him back a prisoner into our lines. That is the transaction which is so highly applauded in imperialistic quarters.

I do not believe that the Senate knew what it was doing when it consented to General Funston's promotion. The nomination came in with a list of Army and Navy appointments and promotions—2,038 in all—and the Senate assented to that at the same time with 1,828 others. I doubt very much whether there were ten Senators in their seats, or whether one of them listened to the list as it was read. It is, I suppose, betraying no secret to say that these lists are almost never read to the Senate when they come in, or when they are reported from the committee; that the only reading they get is at the time of the confirmation, when they commonly attract no attention whatever. I do not mean to say that if the Senate had had its attention called to the transaction the result would have been different. I only mean to say that I believe many Senators did not know it. I suppose the question whether the Senate would have approved it might have depended on the character and the quality of the general service of that officer, and not on the estimate we formed of this particular transaction, which seems to have been done under orders. I did not know myself that the nomination had been made till long after the Senate had assented. But I incline to think, with General MacArthur's testimony before the investigating committee, that the act was done by his direction and with his approval, I should not have thought it fair to hold the officer responsible for it by denying him an otherwise deserved promotion.

I think we are bound in justice to General Funston to take the declaration of General MacArthur that he ordered and approved everything that officer did. If that be true we have no right to hold the subordinate responsible, however odious the act. If it turn out that that still higher authority has approved the act, then it becomes still more emphatically our duty to point out its enormity.

#### Two Guides for Military Conduct.

Mr. President, we have two guides for the conduct of military officers in such circumstances. They apply not only to this act of General Funston, but they apply to most of the conduct of our military officers, of which complaint has been made. One of these is "Instructions for the Government of Armies of the United States in the Field," prepared by Dr. Francis Lieber and promulgated by order of Abraham Lincoln. The other is the convention at The Hague, agreed upon by the representatives of this Government with the others on the 29th day of July, 1899, and ratified by the Senate on the 14th of March, 1902. Observe that this convention was agreed upon before all these acts happened, and was unanimously adopted after they had all happened. I extract from the "Instructions for the Government of Armies in the Field" the following paragraphs:

Paragraph 148 is this:

"The law of war does not allow proclaiming either an individual belonging to the hostile army or a citizen or a subject of the hostile Government an outlaw, who may be

slain without trial by any captor, any more than the modern law of peace allows such intentional outlawry. On the contrary, it abhors such outrage. The sternest retaliation should follow the murder committed in consequence of such proclamation, made by whatever authority. Civilized nations look with horror upon offers of rewards for the assassination of enemies as relapses into barbarism."

Now, Mr. President, is it denied that hundreds upon hundreds of Filipinos have been put to death without trial? Has any soldier or officer been brought to trial by our authority for these offenses? Now, if it be an outrage upon which "nations look with horror," to use the language of that paragraph, and which "the law of war \* \* \* abhors," is it any less a crime to be abhorred when it is done without such proclamation? The proclamation does not, according to this authority, justify the officer or soldier who acts in obedience to it. On the contrary, his conduct is abhorrent to all civilized mankind. And yet these things pass without condemnation, without punishment, without trial. Gentlemen seem to be impatient when they are asked to investigate them, or even to hear the story told in the Senate of the United States.

Paragraph 16 is:

"Military necessity does not admit of cruelty—that is, the infliction of suffering for the sake of suffering or for revenge, nor of maiming or wounding except in fight, nor of torture to extort confession. It does not admit of the use of poison in any way, nor of the wanton devastation of a district. It admits of deception, but disclaims acts of perfidy, and, in general military necessity, does not include any act of hostility which makes the return to peace unnecessarily difficult."

The rule says:

"It admits of deception, but disclaims acts of perfidy."

That also follows the prohibition of the use of poison, with which it is associated.

Now, perfidy is defined later in paragraph 117, which declares:

"It is justly considered an act of bad faith, of infamy, or fiendishness, to deceive the enemy by flags of protection."

Paragraph 65 is:

"The use of the enemy's national standard, flag, or other emblem of nationality, for the purpose of deceiving the enemy in battle, is an act of perfidy."

Is not the uniform an emblem of nationality? If it be an act of perfidy—the use of that emblem of nationality to deceive the enemy in battle—is it any less an act of perfidy to use it to steal upon him and deceive him when he is not in battle and is in his own quarters?

#### Prohibited by Hague Convention.

This is also prohibited by the convention of The Hague, which must have been well known to all our officers, which had been signed by the representatives of this government, although its formal approval by the Senate took place this winter. I suppose if it be perfidy now, according to the unanimous opinion of the Senate, and was perfidy before, according to the concurrent action of twenty-four great nations, the question when we formally ratified the treaty becomes unimportant.

Article 23 of the convention declares:

"(f) To make improper use of a flag of truce, the national flag, or military ensigns, and the enemy's uniform"—is specially prohibited. That is classed in

that article also with the use of poison and poisoned arms.

So, Mr. President, the act of General Funston—not General Funston himself, if he acted under orders of his superior—but the act of General Funston is stamped with indelible infamy by Abraham Lincoln's articles of war, to which the Secretary of War appeals, and the concurrent action of twenty-four great nations, and the unanimous action of the Senate this winter.

Let me repeat a little: What is an act of perfidy, as distinguished from the deception which General MacArthur thinks appropriate to all war, as defined by both these great and commanding authorities?

That is defined in paragraph 65, which declares that—

"The use of the enemy's national standard, flag, or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy by which they lose all claim to the protection of the law of war."

If that be true, is it less an act of perfidy to use the uniform of the enemy—his emblem of nationality—to steal upon him when no battle is going on?

One hundred and seventeen is to like effect: "It is just considered an act of bad faith, of infamy, or fiendishness to deceive the enemy by a flag of protection. Such act of bad faith may be good cause for refusing to respect such flag."

Such deception is of the same kind as that practiced on the unsuspecting Aguinaldo, which the rule "justly," as it declares, "considers an act of infamy or fiendishness."

Rule 60 is:

"It is again the usage of modern war to resolve, in hatred and revenge, to give no quarter."

Observe this is not justified even by revenge.

No body of troops has the right to declare that it will not give, and therefore will not accept, quarter.

"56. A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering or disgrace, by cruel imprisonment want of food, by mutilation, death, or any other barbarity."

So, Mr. President, in this attempt to force your sovereignty by this process of benevolent assimilation, we have been brought to the unexampled dishonor of disregarding our own rules for the conduct of armies in the field and to disregard the rules to which our national faith has just been pledged to substantially all the civilized powers of the earth.

#### Laws of War and Hospitality Violated.

But this act of General Funston's, approved by his superior officer, was in violation not only of the laws of war, but of that law of hospitality which governs alike everywhere the civilized Christian or Pagan wherever the light of chivalry has penetrated. He went to Aguinaldo under the pretense that he was a-hungered and Aguinaldo fed him. Was not that an act of perfidy? It violated the holy right of hospitality which even the Oriental nations hold sacred. In Scott's immortal romance of the Talisman, the Sultan Saladin interposes to prevent a criminal who had just committed a treacherous murder from partaking of his feast by striking off his head as he approached the banquet. "Had he murdered my father," said the Saladin to Richard Coeur de Lion, "and afterward partaken of

my bowl and cup, not a hair of his head could have been injured by me."

Mr. President, the story of what has been called the water torture has been, in part, told by other Senators. I have no inclination to repeat the story. I cannot help believing that not a twentieth part of it has yet been told. I get letters in large numbers from officers, or the friends of officers, who repeat what they tell me, all testifying to these cruelties. And yet the officer, or the officer's friends, or kindred who send the letters to me, send them under a strict injunction of secrecy. Other Senators tell me they have a like experience. These brave officers, who would go to the cannon's mouth for honor, who never flinch in battle, flinch before what they deem the certain ruin of their prospects in life if they give the evidence which they think would be distasteful to their superiors. I do not undertake to judge of this matter. Other Senators can judge as well as I can. The American people can do it better. I suppose, Mr. President, that those of us who are of English descent like to think that the race from which we come will compare favorably with most others in the matter of humanity. Yet history is full of the terrible cruelties committed by Englishmen when men of other races refused to submit to their authority. I think my friends who seek to extenuate this water torture, or to apologize for it, may, perhaps, like to look at the precedent of the dealings with the Irish rebels of 1799.

#### Torture in Ireland Recalled.

In Howell's State Trials there will be found the proceedings in a suit by Mr. Wright against James Judkin Fitzgerald, a sheriff, who ordered a citizen to be flogged for the purpose of extorting information. I believe fifty lashes were administered, and then fifty more by Fitzgerald, and in many other cases the same course was taken. It was wholly to extract information, as this water torture has been to get information. Fitzgerald, the sheriff, told his own story. He pointed out the necessity of his system of terror. He said he got one man he had flogged to confess that the plaintiff was a secretary of the United Irishmen, and this information he could not get from him before; that Mr. Wright himself had offered to confess, but his memory had been so impaired by the flogging that he could not command the faculty of recollection. Notwithstanding he had, by the terror of his name and the severity of his flogging, succeeded most astonishingly, particularly in one instance, where, by the flogging of one man, he and thirty-six others acknowledged themselves United Irishmen.

Now, that was abundantly proved; and the sheriff, who had tortured and flogged these men, who were only fighting that Ireland should not be ruled without the consent of the governed, had the effrontery to ask for an act of indemnity from the House of Commons against the damages which had been recovered against him, and that claim found plenty of advocates. The ministry undertook to extenuate the action of this monster by citing the cruelties which the Irish people had inflicted in their turn, and by saying that very material discoveries were made relative to concealed arms as the result of these tortures. The defenders of the administration said the most essential service had been rendered to the state and to the country by Mr. Fitzgerald. The attorney general trusted the House would cheerfully accede to the prayer of the petition. Mr.

Wright, the man who had been tortured, was a man of excellent character and education, and a teacher of the French language. As soon as he knew there were charges against him he went to the house of the defendant to give himself up and demand a trial. I will not take the time of the Senate to read the debates. The argument for the government would do very well for some of the arguments we have heard here, and the arguments we have heard here would have done very well there. The House passed a general bill to indemnify all sheriffs and magistrates who had acted for the suppression of the rebellion in a way not warranted by law, and to secure them against actions at law for so doing. The sole question at stake was the right of torture to extort information. The bill passed the House, and afterward Fitzgerald got a considerable pension, and was created a baronet of the United Kingdom.

#### Inevitable Result of Brute Force.

Now, I agree that this precedent, so far as it may be held to set an example for what has been done in the Philippine Islands, may be cited against me. I cite it only to show that such things are inevitable when you undertake by brute force to reduce to subjection an unwilling people, and that, therefore, when you enter upon that undertaking you yourselves take the responsibility for everything that follows. Mr. President, it is said that these horrors, which never would have come to the public knowledge had not the Senate ordered this investigation, were unknown to our authorities at home. I hope and believe they were unknown to the War Department. I know they were unknown to President Roosevelt, and I know they were unknown to President McKinley. But I cannot think that the recent declaration of that honorable gentleman, the Secretary of War, made on a memorable occasion, that the war on our part had been conducted with unexampled humanity, will be accepted by his countrymen.

Let us not be diverted from the true issue. We are not talking of retaliation. We are not talking of the ordinary brutalities of war. We are not talking about or inquiring into acts of vengeance committed in the heat of battle. We are talking about torture—cold blooded, deliberate, calculated torture; torture to extort information. Claverhouse did it to the Scotch Covenanters with the boot and thumb screw. It has never till now been done by a man who spoke English except in Ireland. The Spanish inquisition did it with the slow fire and boiling oil. It is said that the water torture was borrowed from Spain. I am quite ready to believe it. The men who make the inquiry are told that they are assailing the honor of the American Army. How do the defenders of the American Army meet the question? By denying the fact? No. By saying that the offenders have been detected and punished by military power. Some of these facts were reported to the War Department more than a year ago. So far as I can find there have been but two men tried for torture to extort information. They were two officers who hung up men by the thumbs, and they were found guilty. The general officer who approved the finding said "that they had dishonored and degraded the American Army," and then they were sent back to their command with a reprimand. I agree with the Senator from Wisconsin that the men who have stolen and committed assaults for the gratification of brutal lusts have been punished, and punished

severely. But what we are talking about is the torture committed in the presence of numerous witnesses for the purpose of extorting information, and orders from high authority to depopulate whole districts, and to slay all inhabitants, including all boys over ten years old.

#### One-Sixth of the Natives Have Died.

Is it denied that these things have been done? Is it denied that although you are still on the threshold of this inquiry, and have only called such witnesses as you happen to find ten thousand miles away from the scene, these things have been proved to the satisfaction of the majority of the committee, and that no man has yet been punished, although they were going on considerably more than a year ago? Now, how do our friends who seek, I will not say to defend, but to extenuate them, deal with the honor of the American Army? Why, they come into the Senate and say that there have been other cruelties and barbarities and atrocities in war. When these American soldiers and officers are called to the bar our friends summon Nero and Torquemada and the Spanish Inquisition and the sheeted and ghostly leaders of the Ku Klux Klan and put them by their side. That is the way you defend the honor of the American Army. It is the first time the American soldier was put into such company by the men who have undertaken his defense. It has been shown, I think, in the investigation now going on that the secretary of the Province of Batangas declared that one-third of the 300,000 of the population of that province have died within two years—100,000 men and women.

The Boston Journal, an eminent Republican paper and a most able supporter of the imperialistic policy, printed on the 3d of May, 1901, an interview with General Bell, given to the New York Times, in which he says that one-sixth of the natives of Luzon have either been killed or have died of the dengue fever in the last two years. I suppose that this dengue fever and the sickness which depopulated Batangas is the direct result of the war, and comes from the condition of starvation and bad food which the war has caused. The other provinces have not been heard from. If this be true we have caused the death of more human beings in the Philippines than we have caused to our enemies, including insurgents in the terrible Civil War, in all our other wars put together. The general adds that—

"The loss of life by killing alone has been very great, but I think not one man has been slain except where his death served the legitimate purposes of war. It has been necessary to adopt what in other countries would probably be thought harsh measures, for the Filipino is tricky and crafty and has to be fought in his own way."

#### The "Howling Wilderness" Order.

Where did this order to make Samar a howling wilderness originate? The responsibility unquestionably, according to the discipline of armies in the field, rests with the highest authority from which it came. We used to talk, some of us, about the horrors of Andersonville and other things that were done during the Civil War. We hope, all of us, never to hear them mentioned again. But is there anything in them worse than that which an officer of high rank in the Army, vouched for by a senator on this floor, from personal knowledge, as a man of the highest honor and veracity, writes about the evils

of these reconcentrado camps in the Philippine Islands? Now all this cost, all these young men gone to their graves, all these wrecked lives, all this national dishonor, the repeal of the Declaration of Independence, the overthrow of the principle on which the Monroe doctrine was placed by its author, the devastation of provinces, the shooting of captives, the torture of prisoners and of unarmed and peaceful citizens, the hanging men up by the thumbs, the carloads of maniac soldiers that you bring home are all because you will not tell now whether you mean in the future to stand on the principles which you and your fathers always declared in the past.

The Senator from Ohio says it is not wise to declare what we will do at some future time. Mr. President, we do not ask you to declare what you will do at some future time. We ask you to declare an eternal principle good at the present time and good at all times. We ask you to reaffirm it, because the men most clamorous in support of what you are doing deny it. That principle, if you act upon it, prevents you from crushing out a weak nation, because of your fancied interest now or hereafter. It prevents you from undertaking to judge what institutions are fit for other nations on the poor plea that you are the strongest. We are asking you at least to go no further than to declare what you would not do now or hereafter, and the reason for declaring it is that half of you declare you will hold this people in subjection and the other half on this matter are dumb. You declared what you would not do at some future time when you all voted that you would not take Cuba against the will of her people, did you not? We ask you to declare not at what moment you will get out of the Philippine Islands, but only on what eternal principle you will act, in them or out of them. Such declarations are made in all history. They are made in every important treaty between nations.

#### Shallow Pretenses of Imperialism.

The Constitution of the United States is itself but a declaration of what this country will do and what it will not do in all future times. The Declaration of Independence, if it have the practical meaning it has had for a hundred years, is a declaration of what this country would do through all future times. The Monroe Doctrine, to which sixteen republics south of us owe their life and their safety, was a declaration to mankind of what we would do in all future time. Among all the shallow pretenses of imperialism this statement that we will not say what we will do in the future is the most shallow of all. Was there ever such a flimsy pretext flaunted in the face of the American people as that of gentlemen who say, If any other nation on the face of the earth or all other nations together attempt to overthrow the independence of any people to the south of us in this hemisphere, we will fight and prevent them, and at the same time think it dishonorable to declare whether we will ever overthrow the independence of a weaker nation in another hemisphere?

If we take your view of it we have crushed out the only republic in Asia and put it under our heel, and we are now at war with the only Christian people in the East. Even, as I said, the Senator from Ohio admits they are a people, he only says there are several peoples and not one, as if the doctrine that one people has no right to buy sovereignty over another, or to rule another

against its will, did not apply in the plural number. You cannot crush out an unwilling people, or buy sovereignty over them, or treat them as spoils of conquest, or booty of battle in the singular, or at retail, but you have a perfect right to do it by wholesale. Suppose there are several peoples in the Philippines. They have population enough to make 112 states of the size of Rhode Island or Delaware when they adopted the Constitution.

#### Why Not Tell of the Future.

I suppose, according to this modern doctrine, that if, when the Holy Alliance threatened to reduce the colonies which had thrown off the yoke of Spain in South America, not a whit more completely than the Philippine people had thrown off the yoke of Spain in Asia, if they had undertaken to subdue them all at once, John Quincy Adams and James Monroe would have held their peace and would at least have said it was not wise to say what we would do in the future. If we had the right to protect nascent republics from the tyranny of other people and to declare that we would do it in the future, and if need be would encounter the whole continent of Europe single-handed in that case, is it any less fitting to avow that we will protect such peoples from ourselves? How is it that these gentlemen who will not tell you what they will do in the future in regard to the Philippine Islands were so eager and greedy to tell you what they would do and what they would not do in the case of Cuba when we first declared war on Spain? You can make no distinction between these two cases except by having a motive, which I do not for one moment impute, that when you made war upon Spain you were afraid of Europe, if you did not make the declaration. These people are given to us as children, to lead them out of their childhood into manhood. They were docile and affectionate in the beginning. But they needed your kindness and justice, and a respect in them for the rights we claimed for ourselves, and the rights we had declared always were inherent in all mankind. You preferred force to kindness and power to justice, and war to peace, and pride to generosity.

You said you would not treat with a man with arms in his hands. You have come, instead, to torture him when he was unarmed and defenseless. Yet you said you would make his conduct the measure of your own; that if he lied to you you would lie to him; that if he were cruel to you you would be cruel to him; that if he were a savage you would be a savage also. You held an attitude toward him which you hold to no strong or to no civilized power. You decorate an officer for the capture of Aguinaldo by treachery, and the next week ratify The Hague convention and denounce such action, and classify it with poisoning and breaking of faith.

#### Who Began the Atrocities.

You tell us, Mr. President, that the Philippine people have practiced some cruelties themselves. The investigation has not yet gone far enough to enable you to tell which side began these atrocities. One case which one of the members of the majority of the committee told the Senate the other day was well established by proving that it occurred long before April, 1901, and was so published, far and wide, in the press of this country at that time. I do not learn that there was any attempt to investigate it,

either by the War Department or by Congress, until the beginning of the present session of Congress. But suppose they did begin it. Such things are quite likely to occur when weakness is fighting for its rights against strength. Is their conduct any excuse for ours? The Philippine people is but a baby in the hands of our republic. The young athlete, the giant, the Hercules, the Titan, forces a fight upon a boy ten years old and then blames the little fellow because he hits below the belt.

I see that my enthusiastic friend from North Carolina seeks to break the force of these revelations by saying they are only what some Americans are wont to do at home. It is benevolent assimilation over again. It is just what the junior Senator from Indiana predicted. He thought we should conduct affairs in the Philippine Islands so admirably that we should pattern our domestic administration on that model. But did I understand that the Senator from North Carolina proposes, if his charge against the Democrats there is true, to make North Carolina a howling wilderness, or to burn populous towns of 10,000 people, to get the people of North Carolina into reconcentration camps and to slay every male child over ten years old? I know nothing about the truth of the Senator's charges. They have never been investigated by the Senate so far. We had some painful investigations years ago by committees in this body and of the other House, notably one of which the senior Senator from Colorado was chairman. But I never heard that you undertook to apply to Americans the methods which, if not justified, at least are sought to be extenuated, in the Philippine Islands.

#### Spain No Worse Than America.

Mr. President, if the stories which come to me in private from officers of the Army and from the kindred and friends of soldiers are to be trusted; if the evidence which seems to be just beginning before the Senate committee can be trusted, there is nothing in the conduct of Spain in Cuba worse than the conduct of Americans in the Philippine Islands. If this evidence be true, and nobody is as yet ready to deny it, and Spain were strong enough, she would have the right to-morrow to wrest the Philippine Islands from our grasp on grounds as good, if not better, than those which justified us when we made war upon her. The United States is a strong and powerful country—the strongest and most powerful on earth, as we love to think. But it is the first time in the history of this people for nearly 300 years when we had to appeal to strength and not to the righteousness of our cause to maintain our position in a great debate of justice and liberty.

Gentlemen tell us that the Filipinos are savages, that they have inflicted torture, that they have dishonored our dead and outraged the living. That very likely may be true. Spain said the same thing of the Cubans. We have made the same charges against our own countrymen in the disturbed days after the war. The reports of committees and the evidence in the documents in our library are full of them. But who ever heard before of an American gentleman, or an American, who took as a rule for his own conduct the conduct of his antagonist, or who claimed that the republic should act as savages because she had sav-

ages to deal with? I had supposed, Mr. President, that the question, whether a gentleman shall lie or murder or torture, depended on his sense of his own character, and not on his opinion of his victim. Of all the miserable sophistical shifts which have attended this wretched business from the beginning, there is none more miserable than this.

#### The Volcano Will Remain.

You knew—men are held to know what they ought to know in morals and in the conduct of states—and you knew that this people would resist you; you knew you were to have a war; you knew that if they were civilized, so far as they were civilized and like you, the war would be conducted after the fashion of civilized warfare, and that so far as they were savage the war would be conducted on their part after the fashion of savage warfare; and you knew also that if they resisted and held out, their soldiers would be tempted to do what they have done, and would yield to that temptation. And I tell you, Mr. President, that if you do not disregard the lessons of human nature thus far, and do not retrace your steps and set an example of another conduct, you will have and those who follow you will have a like experience hereafter. You may pacify this country on the surface; you may make it a solitude and call it peace; you may burn towns; you may exterminate populations; you may kill the children or the boys over ten, as Herod slew the first-born of the Israelites. But the volcano will be there. You will not settle this thing in a generation or in a century or in ten centuries, until it is settled right. It never will be settled right until you look for your counselors to George Washington and Thomas Jefferson and John Quincy Adams and Abraham Lincoln, and not to the reports of the War Department.

There is much more I should like to say, but I have spoken too long already. I have listened to what many gentlemen have said gentlemen whom I love and honor—with profound sorrow. They do over again in the Senate what Burke complained of to the House of Commons.

"In order to prove that the Americans have no right to their liberties we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate without attacking some of those principles or deriding some of those feelings for which our ancestors have shed their blood."

I wish to cite another weighty maxim from Burke:

"America, gentlemen say, is a noble object—it is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will of course have some predilection for it. Those who wield the thunder of the State may have more confidence in the efficacy of arms. But I confess, possibly for the want of this knowledge, my opinion is much more in favor of prudent management than of force—considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing,

so spirited as this, in a profitable connection with us."

"There is nothing—

Says Gibbon, the historian of the Decline and Fall of the Roman Empire—

"more adverse to nature and reason than to hold in obedience remote countries and foreign nations in opposition to their inclination and interest. A torrent of barbarians may pass over the earth, but an extensive empire must be supported by a refined system of policy and oppression; in the center, an absolute power, prompt in action and rich in resources; a swift and easy communication with the extreme parts; fortifications to check the first effort of rebellion; a regular administration to protect and punish; and a well disciplined army to inspire fear, without provoking discontent and despair."

#### A Question We Must Answer.

Lord Elgin, governor general of India and formerly governor general of Canada, well known and highly esteemed in the United States, declared as the result of his experience in the East: "It is a terrible business, however—this living among inferior races. I have seldom from man or woman since I came to the East heard a sentence which was reconcilable with the hypothesis that Christianity had ever come into the world. Detestation, contempt, ferocity, vengeance, whether Chinamen or Indians be the object. One moves among them with perfect indifference, treating them not as dogs, because in that case one would whistle to them and pat them, but as machines with which one can have no communion or sympathy. When the passions of fear and hatred are ingrafted on this indifference, the result is frightful—an absolute callousness as to the sufferings of the objects of those passions, which must be witnessed to be understood and believed."

The American people have got this one question to answer. They may answer it now; they can take ten years, or twenty years, or a generation, or a century to think of it. But it will not do down. They must answer it in the end—Can you lawfully buy with money, or get by brute force of arms, the right to hold in subjugation an unwilling people, and to impose on them such constitution as you, and not they, think best for them?

We have answered this question a good many times in the past. The fathers answered it in 1776, and founded the republic upon their answer, which has been the corner stone. John Quincy Adams and James Monroe answered it again in the Monroe doctrine, which John Quincy Adams declared was only the doctrine of the consent of the governed. The Republican party answered it when it took possession of the forces of government at the beginning of the most brilliant period in all legislative history. Abraham Lincoln answered it when, on that fatal journey to Washington in 1861, he announced that the doctrine of the consent of the governed was the cardinal doctrine of his political creed, and declared, with prophetic vision, that he was ready to be assassinated for it if need be. You answered it again yourselves when you said that Cuba, who had no more title than the people of the Philippine Islands had to their independence of right ought to be free and independent.

#### Question Will Be Answered Right.

The question will be answered again hereafter. It will be answered soberly and deliberately and quietly as the American people are wont to answer great questions of duty.

It will be answered, not in any turbulent assembly, amid shouting and clapping of hands and stamping of feet, where men do their thinking with their heels and not with their brains. It will be answered in the churches and in the schools and in the colleges; it will be answered in fifteen million American homes, and it will be answered as it has always been answered. It will be answered right.

A famous orator once imagined the nations of the world uniting to erect a column to Jurisprudence in some stately capital. Each country was to bring the name of its great jurist to be inscribed on the side of the column, with a sentence stating what he and his country through him had done toward establishing the reign of law in justice for the benefit of mankind.

Rome said: "Here is Numa, who received the science of law from the nymph Egeria in the cavern and taught its message to his countrymen. Here is Justinian, who first reduced law to a code, made its precepts plain, so that all mankind could read it, and laid down the rules which should govern the dealing of man with man in every transaction of life."

France said: "Here is D'Aguesseau, the great chancellor, to whose judgment seat pilgrims from afar were wont to repair to do him reverence."

England said: "Here is Erskine, who made it safe for men to print the truth, no matter what tyrant might dislike to read it."

Virginia said: "Here is Marshall, who breathed the vital principle into the Constitution, infused into it, instead of the letter that killeth, the spirit that maketh alive, and enabled it to keep state and nation, each in its appointed bounds, as the stars abide in their courses."

#### A Record of Generations.

I have sometimes fancied that we might erect here in the capital of the country a column to American Liberty which alone might rival in height the beautiful and simple shaft which we have erected to the fame of the Father of the Country. I can fancy each generation bringing its inscription, which should recite its own contribution to the great structure of which the column should be but the symbol. The generation of the Puritan and the Pilgrim and the Huguenot claims the place of honor at the base. "I brought the torch of Freedom across the sea. I cleared the forest. I subdued the savage and the wild beast. I laid in Christian liberty and law the foundations of em-

pire." The next generation says: "What my fathers founded I builded. I left the seashore to penetrate the wilderness. I planted schools and colleges and courts and churches."

Then comes the generation of the great colonial day. "I stood by the side of England on many a hard fought field. I helped humble the power of France. I saw the lilies go down before the lion at Louisburg and Quebec. I carried the cross of St. George in triumph in Martinique and the Havana. I knew the stormy pathways of the ocean. I followed the whale from the Arctic to the Antarctic seas, among tumbling mountains of ice and under equinoctial heat, as the great English orator said, 'No sea not vexed by my fisheries; no climate not witness to my toils.'"

Then comes the generation of the Revolutionary time. "I encountered the power of England. I declared and won the independence of my country. I placed that declaration on the eternal principles of justice and righteousness which all mankind have read, and on which all mankind will one day stand. I affirmed the dignity of human nature and the right of the people to govern themselves. I devised the securities against popular haste and delusion which made that right secure. I created the Supreme Court and the Senate. For the first time in history I made the right of the people to govern themselves safe, and established institutions for that end which will endure forever."

The next generation says: "I encountered England again. I vindicated the right of an American ship to sail the seas the wide world over without molestation. I made the American sailor as safe at the ends of the earth as my fathers had made the American farmer safe in his home. I proclaimed the Monroe doctrine in the face of the Holy Alliance, under which sixteen republics have joined the family of nations. I filled the Western Hemisphere with republics from the Lakes to Cape Horn, each controlling its own destiny in safety and in honor."

Then comes the next generation: "I did the mighty deeds which in your younger years you saw and which your fathers told. I saved the Union. I put down the Rebellion. I freed the slave. I made of every slave a freedman, and of every freeman a citizen, and of every citizen a voter."

#### What Have We Done?

Then comes another who did the great work in peace, in which so many of you had an honorable share: "I kept the faith.

I paid the debt. I brought in conciliation and peace instead of war. I secured in the practice of nations the great doctrine of expatriation. I devised the homestead system. I covered the prairie and the plain with happy homes and with mighty states. I crossed the continent and joined together the seas with my great railroads. I declared the manufacturing independence of America, as my fathers affirmed its political independence. I built up our vast domestic commerce. I made my country the richest, freest, strongest, happiest people on the face of the earth."

And now what have we to say? What have we to say? Are we to have a place in that honorable company? Must we engrave on that column, "We repealed the Declaration of Independence. We changed the Monroe Doctrine from a doctrine of eternal righteousness and justice, resting on the consent of the governed, to a doctrine of brutal selfishness, looking only to our own advantage. We crushed the only republic in Asia. We made war on the only Christian people in the East. We converted a war of glory to a war of shame. We vulgarized the American flag. We introduced perfidy into the practice of war. We inflicted torture on unarmed men to extort confession. We put children to death. We established reconcentrado camps. We devastated provinces. We baffled the aspirations of a people for liberty."

No, Mr. President. Never! Never! Other and better counsels will yet prevail. The hours are long in the life of a great people. The irrevocable step is not yet taken.

Let us at least have this to say: We, too, have kept the faith of the fathers. We took Cuba by the hand. We delivered her from her age-long bondage. We welcomed her to the family of nations. We set mankind an example never beheld before of moderation in victory. We lead hesitating and halting Europe to the deliverance of their beleaguered ambassadors in China. We marched through a hostile country—a country cruel and barbarous—without anger or revenge. We returned benefit for injury, and pity for cruelty. We made the name of America beloved in the East as in the West. We kept faith with the Philippine people. We kept faith with our own history. We kept our national honor unsullied. The flag which we received without a rent we handed down without a stain.

# Civil Government for Philippine Islands.

SPEECH BY JOSEPH L. RAWLINS, OF UTAH.

Delivered in the United States Senate, Tuesday, April 22, Wednesday, April 23, and Thursday, April 24, 1902.

Senator Rawlins spoke substantially as follows:

Mr. President—We seem to have arrived at that point in our history when there are those who affect to believe that to think is sedition and to talk is treason. "For heaven's sake, let us keep silent until the war is over!" exclaimed one of the heroes and graduates from the Philippine Islands. He would make, if he could, free speech treason, treason odious and cart us away to the gallows. He would perhaps allow the Senator from Massachusetts (Mr. Hoar) the benefit of clergy on account of his sympathy for a superheated conscience. All this, if we are to believe what he says, has the approval of the President of the United States. Congress no longer has to declare war. An Otis or a Chaffee will graciously undertake to do that and relieve us of the responsibility.

A few days ago a message came to us that Malvar, the last of the insurrectos, had surrendered. On the next day it was announced that General Chaffee had made a declaration of a new war, and had dispatched an army to wage it against 2,000,000 people in the Island of Mindanao. But, Mr. President, *mum* is the word so long as there is any disturbance anywhere within our borders or in any one of the thousand islands of the sea. The temple of Janus will never be closed; the brazen gates of war will remain forever open, and there will be no peace if only the party in power can thereby put a padlock upon our mouths and coin political capital out of the blood of our soldiers and the slaughter of unoffending peoples. So, Mr. President, if we are to speak at all we are compelled to speak now, although the Senator in charge of this bill desires it to go through in silence, pursuant to the notion that so long as we have troubles upon our hands anywhere it is our patriotic duty to remain silent, even in respect to a measure of great importance and which is pending before the Congress for consideration.

Mr. President, there are facts which cry out for utterance. There are things which demand revelation. Across the water there are more than 10,000,000 of suffering people silent and unheard, but whose souls doubtless cry out against wrongs, cruel, unspeakable, beyond the ken of mortal language to describe. There are more than 70,000,000 people on this side of the water wanting to

know the truth, heretofore stifled and suppressed. Mr. President, it seems to me that it is a time when it is a patriotic duty to give utterance to the truth, that the American people may be advised and that we may intelligently deal with the important questions which confront us.

Friends of justice, champions of liberty, have ever been jealous of the encroachment of the executive or kingly power, and those who, irrespective of consequences to themselves, have resisted its aggressions and refused to be seduced by its blandishments have passed into history with enduring and honorable fame, while those who have catered to it and sought to profit by the favors which it had to bestow have sunk into oblivion, or, if remembered, are only remembered to be despised.

What is this bill? The Senator who introduced it has not explained it; but upon its examination we will find that it continues, if it does not establish in perpetuity, a presidential despotism—not a benevolent despotism, but a cruel, a remorseless and a predatory despotism.

For this they have no warrant in our history or traditions. To do this they must trample under foot the precepts of our Constitution and axioms of our liberty. This bill reaches backward as well as forward. It strikes its roots into and derives its support from the excrescence upon the army appropriation bill of 1901 known as the "Spooner amendment." The qualification of the absolute power therein conferred, adopted at the instance of the Senator from Massachusetts, by this bill is eliminated. After this bill shall have passed, this absolute power will stand forth stripped of every qualification and limitation. In order to comprehend this bill, therefore, it is necessary to read into it as a part of it that grant of absolute authority. This bill appears in some respects in disguise. Its real purpose does not in all respects appear upon its face. It is another Trojan horse stalking into the citadel of the nation filled with the arms and soldiers of a despotic power, concealing the instrumentalities of tyranny and oppression and the means of spoliation and plunder. \* \* \*

## Philippine Commission.

Senator Rawlins then entered upon a lengthy analytical argument as regards conditions in the Philippines under the provisions of the commission in matters of land,

power of courts. On the land question he said in part:

"One of the evils of the islands is the large holdings of land by what are known as the friars. These holdings each amount, on the average, to about 60,000 acres of land, held by corporations; and authority is given in this bill to appropriate those lands in exercise of the power of eminent domain. The effect of the transaction will be, if it is consummated, to take lands now held in large quantities from one corporation in order to sell them in equal quantities to another corporation.

"The mischief which now exists in the islands does not consist particularly in the character of the individuals who compose those organizations, but in the fact that they are corporations or syndicates holding large tracts of land and excluding all the people from proprietorship in those lands. They are a constant source of irritation. The persons holding them desire to exploit them to the greatest possible advantage, and they naturally desire to obtain the cheapest labor which will yield to them the largest amount of product with the lowest amount of outlay. That same mischief—"

Mr. Hoar—How many acres did the senator say was the amount of these lands?

Mr. Rawlins—Held by the friars?

Mr. Hoar—The senator stated the number of acres as 60,000, as I understood him, and I thought he had made a mistake.

Mr. Rawlins—Those lands are held in tracts of about 60,000 acres each, and there are about thirty such tracts. There are thirty religious centers, and the aggregate of the land is something in the neighborhood of half a million acres.

## Taking From One to Give to Another.

Mr. President, it is an unusual authority, as the Senator from Massachusetts (Mr. Hoar), who is a distinguished lawyer, will, I think, at once recognize, to undertake to appropriate in the exercise of the power of eminent domain the lands or property belonging to one corporation in order to transfer the same lands to another corporation. In this case the power is to be exercised by the application of a sort of religious test. If these lands are held by a corporation composed of Catholics or a certain order, they are to be the subject of condemnation, to be turned over by the process of eminent do-

main into the hands of another corporation, composed perhaps of Protestants, or people of mixed religion, or no religion.

It is scarcely a public purpose, within the usual rule established at least by the courts of this country, to condemn one man's land in order to sell it or dispose of it to another. That is not a public purpose. This provision in relation to the friars' land, this attempted exercise of the power of eminent domain to appropriate the property of one individual in order to give it to another, is fundamentally vicious. It is in effect taking the property of one individual without his consent, not for a public use, but in order to bestow it upon another individual in order to devote it to a private use. Under our Constitution that could not be done. If there is no constitution in the Philippine Islands perhaps there is no constitutional difficulty in the way of thus appropriating property of one individual in order to give it to another.

Mr. Bacon—Will the Senator pardon me a moment?

The presiding officer—Does the Senator from Utah yield to the Senator from Georgia?

Mr. Rawlins—I yield to the Senator.

Mr. Bacon—The Senator is more familiar with this matter than I am, but I want to ask him if he is exactly correct in stating that the purpose is to bestow these lands, or give the use of them, to some other corporation? Is not the sole purpose to take the title of the lands out of one corporation regardless of the question of who will get the benefit of them? In proceedings of condemnation the object in view is to give a certain privilege or interest in land to some party who is to make a certain use of it—under our system a public use—but in this case, as I understand it, the motive is not to give the advantage of the lands to some other particular person, but to see that they are gotten away from a certain corporation, which is distasteful to some people. Is not that true? In other words, there is no particular object that is in view in the change of ownership; it is not for the purpose of benefiting somebody else who is going to make a certain use of them—build a railroad, for instance, or engage in any other work—but the purpose, as I understand it, is to get the title of the lands out of the friars. Is not that the main and controlling motive?

Mr. Rawlins—Well, Mr. President, I am unable to give the Senator the motive otherwise than appears from the provisions of the bill, and the effect of the bill, if it shall become a law, will be that if the lands of these religious orders are condemned and appropriated in the exercise of the power of eminent domain, the title will vest in the government of the Philippine Islands, in which government the titles to all other public lands in the islands are vested under the provisions of this bill. I mean the title in the sense of having the power of absolute control and disposition.

Mr. Bacon—Mr. President—

Mr. Rawlins—Now, if the Senator will permit me, these lands when thus condemned, these religious orders thus being deprived of them, will become a part of the public lands of the islands. Then the Philippine Commission, if it carries into effect the purpose as expressed by Governor Taft, and which is embodied in the report of the commission in the exercise of the authority which this bill is designed to confer, will grant those lands by sale to syndicates or corporations in large tracts for purposes of exploitation, Governor Taft saying that 5,000

acres was too limited a quantity, and mentioned one concern which desired at least 10,000 acres, and in another place indicating that 20,000 acres would not be excessive. So that the practical effect, if this policy be carried out, will be to issue bonds, to incur this indebtedness, and to appropriate, against the will of these religious orders, in the exercise of the power of eminent domain, this more than half a million acres of land and immediately, under the rules to be prescribed by the Philippine Commission, dispose of it in tracts ranging from 5,000 to 20,000 acres to syndicates or corporations in perpetuity.

#### Tends to Degrade People.

But if the policy which is recommended by the commission and which this bill is designed to subserve is carried into effect the evils which now prevail there, and which prevailed there during the dominance of Spain, will be multiplied in extent and in their difficulties as we proceed to create new orders, new syndicates, new corporations for purposes of spoliation or exploitation and to place the control of lands in large quantities into their hands.

We know absolutely with certainty that syndicates of this character are not interested in the public weal. Their primary and in fact, their only purpose is to derive the largest degree of profit possible.

There will be ten or twenty thousand acres of land in a tract, and a few large tracts will cover all the available land in the islands, that is, land which can be reclaimed. These syndicates will be controlled by alien proprietors, who have no personal interest in the islands or in their welfare or in the welfare and happiness of their people. It will be a system of pernicious landlordism, which has led to disquiet on the part of the people of Ireland.

Mr. President, these syndicates, organized with stockholders in New York and Chicago and San Francisco, of Great Britain, with their agents in the islands to execute their policy of greed (using that word in no offensive sense, but only to the end for which the corporation itself is organized), the land being thus held and thus managed, how are you ever to have a citizenship in the islands upon whom could safely be devolved the exercise of the powers of government? How do you ever expect by such a policy to uplift the people of the islands and make them fit for self-government? This policy does not tend to insure an independent and self-reliant and intelligent citizenship. It tends to degradation, to turpitude, and slavery. It tends to unfit the people, and if they are now unfit to be intrusted, with the employment of any power of government, they will be doubly unfit after they receive a schooling under the training and despotism of alien syndicates holding possession of all their lands.

So, Mr. President, this part of the bill relating to the friars, while apparently justified, on account of the difficulties which have grown out of the situation in the islands, it seems to me will result in no cure of the mischief unless we shall alter the bill so as to make an entirely different disposition of the lands that may be acquired from these religious orders.

#### For Benefit of Speculators.

Passing from that question, Mr. President, the lands, which are distributed throughout the archipelago, held by these religious orders, in some thirty different localities, amounting to more than a half million acres, if we are to believe the testimony of Governor Taft, are no longer held by the re-

ligious orders referred to. He says in his testimony that they have been transferred, but that, in his opinion, the transactions are only colorable; that in reality these lands remain the property of the religious orders in question. They are not the property of the apostolic authorities of the Catholic Church. They were the property of the different corporations constituting the five religious orders, and the property was supposed to be dedicated to certain specific charities in the islands; but I alluded to the fact that it was at one time thought that \$5,000,000 would be sufficient to cover the purchase price of these lands. More recently the figures have been raised to \$17,000,000.

It happens to have been disclosed in regard to some of these tracts, notably one in Mindoro, referred to in the testimony of Governor Taft, amounting to about 60,000 acres of land, that it has been disposed of at least under option to a man, who attained some notoriety as having been indicted for corrupting certain officers and people in the Philippine Islands. Having obtained an option upon this large tract of land at the figures therein mentioned, he was interested in disposing of the tract at a profit to himself and his associates. I have no doubt that the designation of the condition of that tract of land, which is to be appropriated under the authority to which I have referred, will be found to be true with respect to every other of these tracts claimed to belong to religious orders in the Philippine Islands.

The urgency or pressure is brought to bear to confer unusual and unlimited power upon the government of the Philippine Islands in order that such government will issue bonds, raise the money, and appropriate these lands on terms which will prove profitable to the speculators who have obtained options upon them. It is, of course, to the interest of these so called religious orders in the islands to dispose of these lands. The orders have become so obnoxious to the inhabitants throughout the islands that they cannot safely remain; they cannot operate those large estates with profit, and, as disclosed in the testimony in the case which has been laid before us, they are at present unprofitable, owing partly to the disturbed state of the country, and these orders have been only too willing to make some arrangement, I have no doubt, with speculators to dispose of these lands; and the speculators, of course, have no other interest in this question than to obtain the profit upon the conditional investment made by them. The statement of Governor Taft that these transactions are colorable, when explained, will be found to mean nothing more than the parties have obtained preferential rights of purchase, and hold those rights subject to the condition that they can dispose of these so called lands to the government of the Philippine Islands.

Mr. President, ought we to confer authority like this to this end? If these lands were to be taken from the friars, who held them, if there was a necessity for this action in order that the people of the islands who want to make and maintain their homes there and are interested in its future and permanent welfare and we might thereby restore peace to that stricken land, I would join with any others in doing what I could to bring about such a desirable result.

#### A Vicious Policy.

It is a most vicious policy, in my opinion, to commit in any country large tracts of God's footstool, designed to be devoted to

the use of His creatures, to the monopoly of any sort of corporation, whether it be religious or secular.

As I have pointed out, the authority under this bill given to the Philippine government is to acquire any land, whether belonging to religious orders, corporations or individuals. That language is industriously employed for a purpose. It would not do to limit it to religious corporations or organizations or to these five orders, because then it could not be employed in the interests of speculators who have obtained options on this land. It would not do to limit it to corporations holding in such large quantities as might be injurious to the welfare of that people, for the individuals who hold there options in some instances are not incorporated.

So we have the designation broad enough to cover the individual, who, without expense to himself, has gone to these religious orders and obtained the option, with the sole purpose of turning over the lands, at a profit to himself, to the government of the Philippine Islands. Hence it is natural that our friends upon the other side do not care to have a discussion of this bill.

#### Fanatical but Brave.

We have had within a few days a beautiful illustration of the very thing to which I now invite the attention of the Senate. In the course of our investigation in the Philippine committee Governor Taft referred to the fact that a gentleman from Chicago had proposed to embark in an industry in the Island of Mindanao. It furthermore appeared that he had made an exploration of that island, and it was ascertained there that by the acquisition of a large tract of land it could be devoted to the culture of the rubber tree, to the great profit of those who might engage in the enterprise. Of course, the inhabitants of Mindanao are non-Christian tribes; they are Moros. There are down there about 300,000 slaves, more or less. They are a brave people; they are a fanatical people.

But it is necessary to subdue those people; it may be necessary to exterminate those people, because probably they can only be subdued by extermination or annihilation. A syndicate of non-resident stockholders cannot make a profit out of the enterprise so long as that menace, that cloud, overhangs their operations in the Island of Mindanao. What pernicious influence has been brought to bear upon the general commanding our Army or the subordinate commanders in the immediate vicinity of this field of contemplated exploitation I know not. I do not intend to do any injustice to any one; but seemingly, if we are to believe the messages emanating from the administration responsible for this government, we are to understand that these are, substantially the facts.

The tribes of Moros never submitted to Spain, never acknowledged allegiance to her, except in a qualified way. At most Spain had but a suzerainty over them. In all their past they have been pursuing their own lines and their own methods of government, subject to their own traditions and forms of religion. Since the date of the Paris treaty there has been little or no disturbance there, and they have been proceeding in peace and quietude until the disturbing hand of the syndicator has thrust itself into their midst, and then what happened? A subordinate officer sends out a message to those people that now they must submit, that now they

must submit to exploration, with the incidental and resultant exploitation. They must yield up their guns and ammunition and submit to the dictates of the representatives of the American Government. They must no longer stand as a menace to those who seek to take possession of their lands and devote them to their own uses and carry their wealth away to a foreign country. We invite you to do this in all kindness and benevolence. We do not want to have any bloodshed, but if you will thus submit and thus surrender all that is dear to you, you may have peace, else we will present the other alternative.

So he sends out his expedition, his criers in advance, calling upon the people to acknowledge the beneficence of the edict that he issued for their subjugation. They resist. Thereupon, without consulting Congress—which, under the Constitution is supposed alone to have the power to declare war—seemingly without consulting the President of the United States, who, although he has no such power, is at least or ought to be the commander of the Armies of the United States (whether he consulted the general commanding the Armies in the Philippines we have no very definite information), the Army was sent out and the war was begun. A new declaration of war against between one and two million people, covering an island amounting to something like 30,000,000 acres!

#### What Cares the Exploiter?

It is said that this island is as large as the Island of Luzon. It was a large undertaking against a brave people, a fanatical people, ready to fight for what they conceived to be right. It was the beginning of a war which will involve the sacrifice of how many thousands of American soldiers we can only conjecture; involving the expenditure of moneys wrung from the American people by taxation to the extent of how many millions we can only estimate in the roughest possible way; involving all the brutalities and cruelties which seem to be necessary incident to the waging of war in the tropics.

What is that to one of these exploiters? What is that to a military satrap? What is that to the governor general of the Philippine Archipelago? What care they for the welfare of the people in the distant islands? What care they for the welfare of the people of the United States? They (the exploiters) can see within their reach a few paltry dollars to enrich their coffers. What care they how many millions may be extracted from the treasury of the United States or what treasures of blood are wasted?

The attention of the country will be called to these things, though the other side may remain vacant and silent, and I believe that ultimately the people of the United States will be aroused to the situation and will listen with attentive ears, and that they will be heard in a manner which will be surprising to those who now treat this question with indifference.

Then, we are informed, the President of the United States yesterday advised a suspension, and the word, comes back that that will never do. Stop a war? Never. Stop a war never declared by Congress? What is Congress? Stop a war that the American people do not want? What are the American people? Stop a war and prevent the shedding of human blood and the sacrifice and slaughter of people who have given no offense? What care we for them? General Chaffee says it is necessary to do all this in order

that we may have the respect of the Moros. Will we have their respect after we have slaughtered their people?

Mr. President, who would have thought, who could have dreamed, that scarcely more than a hundred years from the time our fathers laid the foundation of this Republic a bill like this could have been brought into the legislative body of this nation with any prospect of meeting with favorable consideration? The government of the Philippine Islands is to have all civil, judicial and military power which it may, in its sweet judgment, believe necessary to govern 10,000,000 people and 76,000,000 acres of territory, coupled with a provision that the land, 76,000,000 acres, for which the American people paid, at least to Spain, the sum of \$20,000,000, made as a donation to this oligarchy of absolutism, is to be disposed of for their own benefit and not for the benefit of any man, woman or child in the United States, or, I might add, in the land which is to be oppressed by them.

#### Asks Questions.

Are there any limitations upon the power of the government of the Philippine Islands? I should like any one upon the other side to answer that question. (A pause.) There is no response. Is there any independent judiciary to safeguard the rights of all the people or any of the people or the property of any one in the archipelago or elsewhere? Is it not absolutely dependent upon the will of the oligarchy known as the Philippine Commission? If any one thinks there is, I would be glad now to have him make response to the interrogatory I propound. (A pause.) No; there is no independent judiciary. The judges are dependent for the tenure of their office and the amount of their salaries on this oligarchy. The judges are dependent for the jurisdiction they may exercise absolutely upon the will of this oligarchy. The judges are dependent for their existence in any given district upon the caprice and will of this oligarchy.

Any judge who may presume to exercise any jurisdiction derogatory to the wishes of the oligarchy may be supplanted the moment he undertakes to render his decision. When he has decided the question, and it is favorable to them, they may make it final and cut off the right of appeal to any superior tribunal, and if it is unfavorable they can remove him and put in a new judge who will grant to them what they wish.

#### Army Not Responsible for Use to Which It Has Been Put.

But, Mr. President, I am going to pass now from the questions relating immediately to the provisions of this bill to another subject, and I desire to premise what I say in relation to that by the statement that our Army originally sent to the Philippine Islands did not undertake the service which they have since been compelled to perform. Without undertaking to go into the history of our relation fully, I may state two or three things connected with it.

Men volunteered to achieve a given result in the Island of Cuba in a war with Spain. That was achieved to the fullest possible degree. It was perfectly and in every regard finally accomplished on the 12th day of August, 1898, when the protocol with Spain was signed. Torture and cruelty and reconcentration and desolation we supposed had been put an end to, until on the 13th day of August—we did not know it, but it was true—the hand of avarice showed itself and a cablegram was sent to Dewey, "What are

the islands worth to the United States if we retain them as colonies? What is their commerce, and what are their mineral resources, etc.?"

That was the question. Then a new policy was outlined. When we had completed the benign purpose which had brought the American people up to the point of making the declaration of war against Spain, we then entered upon a repetition of the history of the very cruelty and barbarism of torture and oppression, of killing and extermination of which Spain had been guilty, and we did it deliberately, willfully, maliciously, with malice aforethought.

Every nation is endowed with the power of rational volition and must suffer the consequences for the failure to exercise it, and I am not willing to concede that the Executive Mansion is but a madhouse and that its occupant is not responsible for his acts, or that they are the result of incompetence and incapacity for government.

### Barbarism and Cruelty.

Mr. President, the war was begun in the manner which I have pointed out. Those who came in conflict with the American troops were slaughtered. It finally developed that no wounded were left upon the field. I say no wounded, because the official reports of the wounded among the Filipinos do not disclose any wounded to speak of. Whether the marksmanship of the American troops was so unerring that in every instance they struck the fatal spot—a theory which was propounded in the testimony of General MacArthur—I must leave the Senate or those interested in this question to determine. Whether the Filipinos, shot down by hundreds and thousands, were enabled under the pressure and speed of the American troops to carry away their wounded, according to an alternative theory propounded in the testimony of General MacArthur, I submit to the fair consideration of the judgment of those who are to pass upon this question.

Certain it is, Mr. President, that our troops swept those people from the face of the earth in hundreds and in thousands. I commend the official reports of General MacArthur and other generals as to the relative proportion of killed and wounded on the American side, which is normal, to the killed and wounded on the Filipino side, which discloses practically no wounded at all.

That is one phase of this war. As it progressed the policy of those who had control of it, according to the testimony of General Hughes, became stiffer and stiffer, to use his exact language. It became progressively more severe, and when you look back at the earliest stages of that war you wonder what that signifies. But we find out what it signifies.

First, the war was waged against men in arms, and they were slaughtered. Next it became stiffer by waging it against men and women and little children. Next it became stiffer by the burning of the villages and, irrespective of age, sex or condition, sweeping the land of every vestige of shelter and of food. Next it became still stiffer, following precedents of the dark ages, when tyrants resorted to excruciating torture to compel information and inflict punishment against people struggling to be free—tortures devised under the supervision of a Torquemada and the inquisition; tortures employed by a Phillip II in the Netherlands; the water torture, and other hideous tortures so infamous that modern language

fails to furnish terms in which to adequately and properly characterize them were applied to the racking of the nerves of a sensitive people, loving justice, music, and the higher arts of civilization.

But the Secretary of War has denied this, and General Funston, coming back from the midst of its very universal practice, said, "It is an atrocious lie," and proceeded to describe it in a manner which showed his familiarity with the practice as it prevailed in his presence. These denials have been so impudent that it has really been astonishing that they could be made in the face of the overwhelming testimony of the universal and systematic practice of these brutalities everywhere where our soldiers penetrated in the Philippine Islands.

Mr. President, most all of you have read the "Commentaries of Caesar," as he dealt with barbaric peoples in Gaul and in Germany, and in the course of those commentaries we have read how severe he waged that war, sometimes in open battle, wiping out nations of people; but, Mr. President, you will search the lids of that work in vain to find an account of any such cruelties as have been practiced, according to the admitted testimony of our soldiers and our Armies, in the Philippine Islands.

Mr. President, there was torture in old Rome. After Caesar was assassinated and some tyrants seized possession of the reins of government, overthrowing the republic, a conscription list was issued, under which Cicero, the great orator, philosopher and statesman, was beheaded, as according to some modern suggestions some other people ought to be beheaded or hanged. When they sought to carry out their proscription in one instance Quintus Cicero, who had fought bravely in the armies of Rome and upheld the standard of the Roman Republic, was also one of those designated to death. As they were seeking to find him in the city of Rome they seized his son and inflicted upon him this torture, until by his screams reaching the ears of his father he came forth and both were put to death. But every one who has read that instance in history has been horrified at it and wondered how in a civilized country such things could possibly be.

Mr. President, we have taken the sovereignty of Spain, it is said, over the Philippine archipelago, and our friends on the other side have maintained that it is such a rightful sovereignty that when it passes to us under general grant and general cession we possessed it also as inviolably as did Spain and that we did not acquire it to be administered according to the precepts of our Constitution and the traditions of our history, but that we have acquired it to rule them with an iron hand and by the methods of Spanish cruelty and despotism.

### Conscience of Humanity.

Ah, Mr. President, what an awful thing this is! I commend it to the conscience and to the considerations of humanity, if such a thing may happen to lurk still in the breast of the American people. But I have not told all. I am not charging the American soldier in the ranks, sent hither to fight an unhonored battle, to engage in a war which would not and could not commend itself to his sense of propriety and justice. I am making no indictment of the men who have thus, under the commands of superiors, been led against a people struggling to be free. I am making no charges of isolated cruelty for the

purpose of arraigning any man who has volunteered in the service of his country.

Mr. President, I would be guilty of arrant cowardice if I should undertake to break my shafts of criticism against those men who have been but the tools of an iniquitous policy, because the evidence has developed until it is overwhelming and incontrovertible that these practices in the islands have been widespread and systematic, and approved by the military superiors, not by the subordinate commanders. I invite Senators to look over one of these reports, a list of about forty charges made against American soldiers for misconduct in the Philippine Islands. The testimony is now uncontroverted and incontrovertible, from Governor Taft and from witnesses whose credulity is beyond dispute, to which I shall call attention later. In a report of the governor of Tayabas, Major Gardener, who served in the volunteer forces, he reported that in his province American soldiers and officers had so repeatedly inflicted the torture that it rendered it impossible for him to maintain peace under the civil government.

Mr. President, of those forty charges made in the manner which I have stated you will not find a single instance of a man arraigned upon the charge of inflicting torture known as the water cure. We find that certain methods of torture there, mild in their character, were not approved—for instance, for hanging a Filipino by the neck for a few minutes a soldier was convicted upon the trial, and his punishment was a reprimand.

### Water Cure Confessions.

H. A. Davis, a man evidently frank and truthful, and manly in every way in his appearance, appeared and testified to these infictions of the water cure upon the presidente or mayor of Igbarras and the infliction of it upon the policemen by the regular water detail. In addition thereto he testified that on the same day Dr. Lyon went into the school house and, presenting a pistol at the head of the schoolmaster or school teacher, threatened his life unless he made a certain statement which was demanded of him by Dr. Lyon. Thereupon they obtained the statement, whatever of truth there may have been in it.

We pressed this matter, and could have produced witnesses without number in support of these same facts, showing that this torture was inflicted in public in the presence of numerous men, and under the direction of the judge advocate on the staff of General Hughes, until one member of the majority of the committee arose in his place when it was proposed to make further investigation of this matter and declared that he would object to any further testimony upon a fact which was proved conclusively, and concerning which there was no dispute. So that the committee at this point has decided to call no more witnesses in support of the facts which I have now detailed to the Senate, on the ground that they are conclusively proved to be true.

This is not all that those witnesses testified to. This company of the Twenty-sixth Volunteer Infantry were at the town of Igbarras for seven months, the months prior to the 27th of November, 1900, and until the approaching March, 1901. They stated that during that time there were fifteen men in that garrison. They also stated that there had been no trouble, no assault committed upon any American soldier; that that community had been peaceable. It was a town of 10,000 inhabitants and was in a district which con-

tained about 25,000 inhabitants. These scouts—the Gordon Scouts—and Captain Glenn appear upon the scene early in the morning of the 27th of November, 1900.

Seemingly, according to this testimony they desired to establish certain things, namely, that the mayor of the town was in reality disloyal to the United States; that the policemen of the town were not acting in good faith in maintaining the peace; that, in some way or other they were rendering aid, directly or indirectly, to the insurrectos in the field. In the morning officers were sent out, who arrested the mayor of the town. He was dragged in and stripped, and Captain Glenn, the judge advocate, decided to prove his case, and when he had proved his case he decided to inflict the penalty. How did he prove his case? He took the poor old man and stripped him, brutally laid him down upon his back under a faucet, thrust a stick in his mouth to keep it open, and let the water run in until he was filled. According to the testimony of these witnesses, his eyes became bloodshot, and he shrieked in pain and agony.

#### Copernican Methods.

While in that situation, the interpreter, doubtless compelled to perform this infamous service, stooped over him and said, "Confess, confess." It makes us think of Copernicus, when he was subjected to the torture and thrown down. They wanted him to announce that the world did not revolve upon its axis, and was promised if he would say so that they would let him go or else they would take his life, and he, refusing to say so, they took his life. So this presidente was tortured until he was compelled to say what these men wanted him to say. If he had not said it, what would have happened to him we can only conjecture; but, being unable to endure that form of torture longer he said what they desired he should say. He declared that he himself was a traitor and was communicating with the insurrectos in the field.

Not satisfied with that, they wanted to get corroborating testimony. They doubted the credibility of this witness, and the testimony elicited in this way, in this sort of judicial proceeding, by the judge advocate, a prosecutor of the army. So they wanted corroboration and they arrested two policemen, and throwing them down and placing over them the interpreter, tortured them and wracked their nerves until they shrieked with agony and pain, and, to obtain relief, were compelled to give testimony, doubtless in corroboration of the testimony of the mayor.

Still they were not satisfied. They wanted the more credible testimony of the school teacher of the town, and an army contract surgeon, under the direction of Captain Glenn, visited the place where the little children were congregated and, as an example of the beneficence of the administration of American government to the rising generation of the Filipinos, brandished his weapon and, putting it at the head of the teacher in the presence of the pupils, said: "Confess! Confess that you are a traitor; that your people are traitors"; and under danger of death thus threatened in the presence of the little children, he doubtless confessed, whether to the truth or a falsehood I know not and care not. In that way the testimony of the presidente was corroborated by the policemen, and the policemen were corroborated by the school teacher, and what was the penalty? They sent the old man to prison. They sent him away to Manila, and he is doubtless now in that infamous Spanish den, languishing away his days, convicted by a

judge advocate representing the authority of the American Republic, based upon testimony extorted thus and corroborated only in the same way.

#### Other Penalties.

What were the other penalties? There were 10,000 men, women and little children in that town. That evening, at 8 o'clock, a most opportune hour, direction was given to the soldiers to proceed to the head of the town with an interpreter and go along the street with all speed and begin the work of destruction, burning the village, beginning at the top; and the only notice of it as they marched up the street was that the crier called out to such people as heard him that they were going to burn the town. They got to the top of the town and they began the work of destruction. The torch was applied to every house and they were all destroyed with the exception of fifteen. Ten thousand people who had committed no offense whatsoever against any human being, so far as anything disclosed in this case is concerned, had their homes wiped from the face of the earth. Men, women and children were turned out to starve; yes, their provisions destroyed, their household effects destroyed, everything except that which they had upon their person, if anything, destroyed.

These men, women and little children were the victims of this "stiffer" policy of General Hughes, and I have read to you already the excuse General Hughes gave. He said, "Yes; we burned the town. The best way to punish the man is to punish the women and children." The most effectual method of bringing to terms a parent who loves his child is to inflict torture and punishment upon his unoffending offspring. Why? Because the War Department and Colonel Dickman tells us some cruel things had happened, mentioning three or four instances which are named in the report, and when they are made the subject of scrutiny and inquiry what do we find? The nearest one of those that happened was more than forty miles away. The War Department said the wrong was inflicted by insurgents, but the testimony showed that the cruelty was inflicted by robbers, or common murderers and plunderers, and not by insurrectos. But nobody claims that the people in this town had the slightest connection with any of those things. Still the town was destroyed and their leading men carted away and put into prison, where they are now languishing.

#### More Than Burning.

They did not stop with burning the barrios. On the same night they proceeded out to a little hamlet and wiped from the face of the earth the habitation of men, women and children. They went twelve miles away to another town of 12,000 and burned it to the ground, and not a vestige remained. They went elsewhere and continued this work of death and desolation in order to give those people a benign example of American administration! Oh, that is not all. We have it now plainly upon the official records. This was in the Island of Panay, in the Province of Iloilo. It was made a howling wilderness and the people were tortured.

Then they jumped over to Samar. We find in the official reports, and I have not time to read them, but I will verify every statement I make by the official record if any one desires me to do so, that General Smith took charge in Samar, under command of General

Chaffee. We find General Chaffee declaring to him in substance, as shown by his report: "Wage this war vigilantly; yes, relentlessly; yes, wage it according to your own discretion; enjoin upon your subordinate commanders to employ the utmost severity; proceed and use your own discretion. These are not civilized people." General Hughes said they are not. "This is no longer civilized war." The Articles of War, issued under the high authority of Mr. Lieber of the War Department, are cast to the winds, although they are sent to us by the War Department as a proof of the humane character of the war. It is no longer civilized war and he was commanded to do those things.

Among other subordinates was Lieutenant or Captain Waller, and after Waller had gone over the island and dispensed death and desolation General Smith in an official order recommended his promotion. General Smith issues his commands in conformity with the command of General Chaffee. He immediately issued an edict to the effect that all the people are presumed to be traitors and public enemies, and are to be dealt with as if in open arms unless they can conclusively show their loyalty; and there are three methods alone by which they can make that proof. Little children, women and men must conclusively prove their loyalty.

#### As to Chaffee.

Oh, my God! that is the logic upon which Chaffee based the brutal orders and instructions which he issued to his subordinate commanders. Did Chaffee, alone, unaided, in coldness and in brutality and in savage and unrelenting disregard of every humane sentiment or possibility of human suffering, conceive this iniquitous scheme? Whence, from what diabolical source was it derived? The American people ought to know. Is there any penalty beneath the sun adequate to be meted out to the merciless wretch who has thus brought such dishonor upon the American name and the American people?

The presumption is against every presidente and every cabeza by these station commanders. They are all enemies and insurgents and traitors to the United States. They must be given a drastic lesson. Why are the principal men of the town, the leading officials, who have done no overt act, to be seized? Then what is to become of them? They are to be dragged out and put in front of the expeditions of the soldiers of the United States and they are to be marched on daily at the head of the columns or detachments until they have had a drastic lesson.

The query arose in my mind, Why thus put these principal men of these barrios and towns out in front of the marching soldiers of the United States, on foot, to trudge along day after day—these starving people—to be marching every day until they had a drastic lesson or until they fell down and were relieved by death of the torture? This was not, perhaps, a vicarious punishment, for whenever an offense was committed anywhere by any man who was so unfortunate as to have become a prisoner of the American troops he was to be taken out and shot to death in Batangas; and now we find that people who had not offended, whose only offense at least was neutrality and inaction—that they did not go out to aid their compatriots and people of their own race—were to be seized and placed at the head of the expedition of the soldiers of the United States, perhaps as a shield to receive the shot and fire of their compatriots, and thus screen the American soldiers from the perils

with which otherwise they might be confronted.

My God, Senators, will any one rise and tell me when and where among the most barbaric peoples you ever read such an act of brutality as that? When was anything like that disclosed elsewhere upon the face of the earth? Just think of General Grant taking people in the South who remained neutral, in so far as they did not engage in actual hostilities against the American troops, and seizing them and placing them in front of the Armies of the United States as a shield to protect them and to receive the shots of those who were seeking to defend what they conceived to be the right! But there in the Philippine Islands, Great God, what right have we to practice these brutalities against those people? What crime have they ever committed against us that they should be afflicted with the tortures of the fiend incarnate?

#### Where Is There a Parallel?

Why, Mr. President, such wrongs to those people whom we had called to our side, with weapons furnished to them by us, and who had marched against the common enemy, whom they had learned to believe was the enemy to the human race by reason of its ancient practice of cruelty and oppression, when they had assisted us and had brought about a glorious victory to the American arms and to the American people for the sake of humanity and liberty—we turned traitor to them; we demanded their unconditional surrender; we shut the gates of their own city against them; we turned our arms against them without any pretense or excuse or justification; we mowed them down with horrible slaughter; we swept them away as with the besom of destruction; we paralyzed them and rendered them helpless. They had nothing in their possession with which longer to indulge in the luxury of protection to their homes, their lives, and their fortunes. We decimated them until one-third of them had fallen and gone into the dust, and over whom we still trample without mercy and without humanity.

Now, these people are to be subjected to tortures, to cruelties unspeakable and beyond the power of human tongue to describe, and all in the name of civilization, all in the name of justice, all to uphold the glory and the prestige of American arms and to strike terror to all the helpless peoples in the world and make them believe that the American people are in reality a great and honorable nation. If there is a God in heaven, dispensing justice and right, what penalties must come to us by reason of these infractions of all rules both human and divine.

#### Cabalers and Heroes.

I fear, Mr. President, that there has grown up in our midst a little cabal, a coterie of military upstarts and parvenues, all unconsciously to the great, broad-minded, humane people constituting the American Republic, within gunshot almost of

where I now speak, who are the authors of all these things, and upon whom the responsibility of these iniquities ought justly to be made to rest. I am loath to hold up to criticism the men who take their lives in their hands and go out and fight the battles of the Republic, who are willing to take upon themselves those responsibilities which may end only in death or in honor; I am unwilling, without conclusive proof of the fact, to presume that any one of the men who have gone out and have actually done battle in the Philippine Islands ever conceived this line of policy which has recently been carried out there.

No, Mr. President, it is those who remain secluded, those who practice in insolence, who devise in iniquity, who cabal and scheme to overthrow honorable men, who would deny to Schley the rewards which properly come to a man, when he goes out to fight in honesty and in heroism the battles of the Republic—the men who would drag down General Miles, humane and honorable in all his military career, and would place above him some military upstart, who would not by reason of his services ever be commended to the people who love justice and fair dealing—I fear that it must be people of this kind, who, for the time being, have seized the reins of military control of our armies in the Philippine Islands, who are the real authors of these infamies which have been there perpetrated.

I commend senators to read the testimony relating to the various kinds of torture which have been inflicted, but which the time I ought to occupy will not permit me to go into to any great extent. I have already laid before the Senate, in my judgment, sufficient to invite attention to what still remains undisclosed. This is but the prelude, the prelude, as to what ought to follow in the course of this discussion. I say to senators upon the other side that this bill can not pass so long as there is any man who, having looked into these facts, and has anything to say and desires to say it, will make such a presentation to the American people that they may be advised as to what we are about to do.

Ah, Mr. President, what do you propose to do? Do you propose to fly in the face of these assertions made by men who are undoubtedly patriotic and who are competent, by reason of having come in contact with that situation, to speak intelligently and wisely?

#### Colonial Policy.

This bill inaugurates a colonial policy. It sets up a despotism. It provides for exploitations, for spoliations and plunder. It is to be the foundation of new insurrections, new deaths. It means, in all probability, if we are to follow it out in all its consequences, what is implied in the declaration of the former chairman of the Philippine Commission—the extinction of that race of people.

When you have followed to the end the road upon which you are now about to enter, after you have achieved the results which knowingly you thus set out to accomplish, what will they be? An extinct race, who will remain, like the Huron tribe of Indians,

as a tradition of history; a race of people who have not wronged us; a race of people indigenous to the soil and the climate in which they live, a climate to which we cannot be inured, a land which cannot be made the home of our people. You want to exterminate those people—in order to supplant them? No; you never can supplant them. You never will go there for the sake of a home, for the sake of the establishment of a permanent abode. You annihilate those people for revenge, because you do not like them, because their color is different from yours, because they are an alien race, because they have a different religion, because their habits and customs are not your habits and customs.

You want to go there as if you were carrying out the edict of some inscrutable fate, to annihilate a race of men who never have injured us, while we have gone and ruthlessly assaulted them and their institutions. After you have annihilated them, after you have made Samar a howling wilderness, how many will still live in Batangas, one-third of whom had perished in December last? How many will remain in Tayabas or the rest of Luzon? God only knows. We have taken no census upon that subject, and it is not proposed to take any.

#### A Munificent End.

But all this is to secure some munificent end. This is in order to advance civilization. This is in order to uplift races of mankind. This is a humane policy. This drastic policy, this severe and uncivilized war, is the most humane in the end. Aye, its humanity consists in the extermination of a people, and when they are dead they cease suffering. But some of our people, I think, would follow them into the realms of perdition and keep them there dancing forevermore upon the burning marl of hell. What vengeance do we want to wreak upon them? What benign end do we want to accomplish? Tell me, tell me, you upon the other side, you who say you will not speak on this subject, say who struck you dumb? Why will you not utter a word in the face of this great epoch in the history of our country? Why do you remain silent?

I ask you to speak and tell me what useful and humane purpose you have in now embarking upon this policy. Speak and tell us. Tell the American people. Tell the American people who are moved upon this question in a manner you little dream of. Tell the people who will be called upon to pass on the question whether you are acting upon some principle which is justifiable to your conscience and your God. You will not speak. Then I infer, sir, that this is the inauguration of a scheme of loot and of plunder and of exploitation—another plowing of a ruined Carthage. You have garnered the harvest of death, and now propose to rake the stubblefield of a slaughtered people. If this be not true, disclose what is true, if your motive be not sordid; and if you can justify yourselves, for God's sake do it quickly, because it seems to me we are standing in the presence of an awful tragedy, and that we will reap the whirlwind of misfortune if we do not retrace our steps.

# A Plea for Civil Government in the Philippine Islands.

SPEECH BY JOHN C. SPOONER, OF WISCONSIN.

Delivered in the United States Senate, Thursday, May 29 and Saturday, May 31, 1902.

Mr. Spooner said:

Mr. President—I am very reluctant to address the Senate again upon the Philippine question, and I am keenly anxious to be through with what I have to say, peculiarly so in view of the suggestion, which I resent, that I have sought time for speech with a view to precluding others from replying.

If the people of the United States take much note of what occurs in this chamber they must have been strangely impressed by the proceedings here at this session in relation to the Philippines. We spent some weeks in debate in the early part of the session upon a Philippine bill; to speak more accurately, not upon a Philippine bill, but upon the general Philippine subject.

That was a very simple bill, Mr. President. It was an emergency bill. It did not deal at all with the policy of the United States as it is, or as Senators think it ought to be. It was a tariff bill intended to raise money for the support of the Philippine government, to administer the courts with their writ of habeas corpus, to furnish additional educational facilities, and generally to carry out the policy thus far pursued of giving as rapidly as possible the advantages of a better system of government to the people of the Philippine Archipelago.

When we protested mildly that that was not the proper bill to be delayed indefinitely by general debate upon the Philippine policy, and that such debate would be more appropriate to the discussion of the Philippine government bill, we were told that that bill involved the whole subject, and that there would be little, if any, debate on the government bill, except that which pertained to its provisions.

We have been disappointed in this respect, Mr. President. We have been spending weeks here in debate, not especially upon the government bill and its provisions, but, pending the consideration of the government bill, upon the general Philippine policy of the country.

It is a little odd that this bill, intended to exalt civil government in those islands, to more efficiently and more quickly subordinate the military authority there, should be delayed almost indefinitely by speeches, the

object of which has been to show that the military operations in the archipelago have been infamous in their torture, cruel beyond expression, and therefore a dishonor to the people of the United States. If that were true one would think Senators would have been anxious to facilitate the passage of this bill in order that that unhappy element might be speedily eliminated.

It has been a strange debate, Mr. President. I am forced to say that on both sides it has been a debate characterized by very much more than ordinary ability and eloquence. But when one looks through the speeches which have been made here by the minority (for it is well known that with proper amendments this bill will pass) one finds in them nothing but pessimism, nothing but the gospel of despair, nothing but suspicion and distrust and imputation of the motives and character of all who differ with them on this subject.

The Senator from Tennessee (Mr. Carmack) made a speech which rhetorically and oratorically was a credit to him. He said many bitter things in that speech. Some of them in a manly way he withdrew, and as to them there is nothing more to be said.

But, Mr. President, I think he left observations in that speech which, in the days to come, he will regret. I will not think he meant deliberately to tell the Philippine people that we are there to enslave them. I will not think he intended to impute to President McKinley, a fragment and blessed memory forever in this land and in the world, a commercial dollar motive in the negotiation of the Paris treaty and its transmission to the Senate. I will not think he intended to grossly misconstrue the cablegram which was sent by direction of the President to Admiral Dewey at Manila to examine and report upon the islands as to naval and commercial advantages, including coal. I know he did not mean to say that the President had in mind individual or syndicate "exploitation." I know he did not mean to impute any purpose other than one in the general public interest to find that island, if we were to take but one and if we took any, which would afford adequate

harbor and coal for our war ships and a resting place for our merchant ships.

The Senator indulged in some observations in relation to the President of the United States. I think some day he will regret that he did so, because, Mr. President, it is a tradition of both parties which should always be observed, and it is in the public interest, too, that each co-ordinate branch of the government shall treat with respect the other. The Senator likened the President in his characteristics to a horse whose natural gait is "running away," intending to give the impression that he regarded him as a man of impulse, who speaks and acts without due thought and deliberation. If the President of the United States should publicly make an observation of that kind about a Senator he would not be forgiven. The President of the United States is a man who does not run away from any duty or from any danger.

When the time came, Mr. President, to send the American flag, not to stay, but to come down when its mission had been accomplished—carried by our soldiers to Cuba, Theodore Roosevelt did not "run away." He left his place at the capital here and went there as a soldier and fought there as a soldier, with the bullets of the enemy "weaving lines of death and danger around him and above him," offering his life—and who could offer more—for what? For the liberty of a people; for the independence of Cuba. He has won the right to be regarded, if any man has, as the daring, steadfast, strenuous friend of liberty everywhere. He is not slow to perceive his duty, nor is he slow to do his duty.

The Senator also referred, and I thought it was not fair, to a statement in the newspapers of a supposed "conference," and assumed that "instructions" had been given by the President to introduce in this debate, in order to hide the atrocities of the Army in the Philippines from the public gaze, a discussion of what is called sectionalism. I think the Senator really will not believe that. The President is one of the last men to do anything or advise anything to mar the harmony which exists and ought to exist between the sections. His utterances have

been the other way. The associations of his life are the other way. I could not but think, as the Senator spoke, of what occurred a little time ago when the brilliant and eloquent Senator from Missouri (Mr. Vest), in speaking tender words of eulogy over our late colleague here, General Wade Hampton, took occasion to pay tribute to President Roosevelt for the generous manner in which he had commented upon the career of General Lee.

Few have escaped in this debate conducted by the other side who have had in any way to do with the Philippines. Governor Taft had cast upon him not only by suggestion, but by argument, the imputation that he had wilfully suppressed before the committee two reports. There was but one answer that needed to be made to that, and that is that Governor Taft is and always has been a gentleman.

Really, this debate has been so full of generalities of a malignant sort as to affect my kindly friend from Mississippi (Mr. McLaurin), who read from a book here one day to establish the proposition that old General Gomez is a brute and tried to slaughter a little boy with his sword, and then that Gomez and his staff were "afraid of the cars."

He was led to do that by the mistaken impression that Funston, then unknown to fame, at the time was a member of Gomez's staff. Poor General Funston has occupied a large space in the debate upon this very grave and important bill. I have nothing to say about him—he has been ably defended—except this: I cannot account for this bitterness toward him unless it grows out of a consciousness that his criticism and feeling were somewhat justified. It is the same that Lawton had and that others have had. Lawton is dead and cannot speak and will not be traduced. It has not injured Funston.

The general attitude of Senators who have spoken on the other side is this: "We who voted against the treaty at least are men who observed the obligations of the Constitution. You who voted for it violated it. We who are opposed to you stand by the Declaration of Independence. You disregard it. We are the friends of the Army. You are its assailants. We love the flag and you 'vulgarize' it. We hate atrocity and you defend it. We wish to give liberty to the Filipinos and you are giving them bondage—are trying to enslave them." It is a modest attitude, of course, but not altogether persuasive.

Mr. President, some extracts have been read here from a speech of mine on the treaty, of course intended to show that I am inconsistent. It is a matter of no consequence whether I am or am not inconsistent. I have never cared overmuch for consistency. I have always reserved to myself the right to change my mind if, on further reflection, I thought I should do so. But I have not changed my attitude.

I declared myself opposed to permanent dominion in the Philippines. I speak for myself when I say that that is still my feeling. I said I would not take islands or people for trade. That is still my feeling. I would not buy trade with the blood of my own people or any other, nor at the cost of any man's liberty.

I ridiculed the notion that the flag once put up never shall come down. I said it was put up in Cuba, and when another representing and standing for a new born republic there should go into the air, our flag would come down—come down in honor as it went up in the interest of liberty. And

so it has. But that has nothing to do with this bill or with the general Philippine subject. Only I have not changed my view.

I voted against Hawaii. I did not want to take that first long step out into the Pacific. I did not look upon it—I differed with my party upon that question—as for the interest of the United States or the interest of the people of Hawaii that those islands should be annexed. It was done, and I quit. I have never criticised the men who differed with me. On the other hand, Mr. President, I think I may justly say that industriously and to the best of my ability I have co-operated with my colleagues here in an endeavor to give to Hawaii the wisest, best and most liberal government which could be devised.

I found no fault with those who voted against the ratification of the treaty, Mr. President. It was not only the right, but the duty, of every Senator, to vote as his conscience and judgment led him to conclude.

But I have been surprised at the course pursued by some who voted for it and some who voted against it. I have been surprised by the statement, so often reiterated here, that if we had adopted the Vest amendment, assuming as to the Philippines the same relation we assumed by the treaty as to Cuba, or that if after we had ratified the treaty without the Vest amendment we had passed the Bacon resolution, there would have been no trouble in the Philippines; that they were all our friends then, including Aguinaldo, and would have been our friends, our devoted friends, now and forever after.

Mr. President, it seems to be forgotten that before the treaty was ratified and before the Senate could vote upon the Vest amendment or on the Bacon resolution our troops in Manila had been attacked and hostilities had broken out. Aguinaldo and his associates, having an agent in this city, knowing that the amendment and the Bacon resolution—for they were public—were pending, could not and would not wait to ascertain in peace what the action of the Senate would be upon them. But there was an attack and there was war.

He had long intended to attack us. He was so "friendly." Here is the translation of a captured cablegram or letter sent on the 3d of February, 1899, the day before the attack, by the agent of the "Filipine republic" in London.

Mr. Allison—A friendly republic?

Mr. Spooner—Yes; a "friendly republic"; just as friendly as it was a republic; perhaps more friendly than it was a republic.

London, February 3, 1899.

Senor Regidor to Kant:

My Dear Friend and Fellow Countryman—Thanks for your Christmas card; I return my best wishes. In the last two mails I sent first a letter to the general and then one to Senor Mabini. I hope that you read them. Next Monday we shall know what to expect on the question of the treaty.

They knew what was going on. It was on Monday we were to vote. It was the day fixed for a vote.

According to two telegrams which I have seen to-day its passage is not certain. Still I believe without any doubt that it will pass, because otherwise it would be a crushing blow to McKinley, and he will wish to avoid exposing himself to it. Whether it passes or not, you must prepare yourself for a further increase in the American forces in the Philippines. Some are going by way of the Pacific and others by the Suez Canal. If the treaty is approved, these forces will serve to immediately attack the Filipino troops. Do you not think it would be well for them to

be attacked the moment the treaty is approved here?

And then follows more, but I will not read it all:

One of our friends unquestionably devoted to our cause proposes a plan to me which seems certain to me to bring us some thousands of dollars which could be applied to the purchase of arms and munitions and especially some effective torpedoes, which would serve to repeat in the bay of Manila the scene in that of Habana, which would serve to give a fortunate termination to our struggle.

Mr. Hoar—Did the Senator say that was a cablegram?

Mr. Spooner—I say it is a copy.

Mr. Hoar—Of a telegram?

Mr. Spooner—Of a letter.

Mr. Hoar—The Senator said, as I understand, a telegram. I thought it was the funniest telegram I ever heard.

Mr. Spooner—A letter. There are a good many funny telegrams in this business.

Mr. Hoar—That seems to be one of them.

Mr. Spooner—Mr. President, I have here a record of the vote upon the treaty. We who voted for the treaty are all said to have been pretty bad men, so far as judgment is concerned. I take the liberty of reading the names of the Senators who voted for the treaty: Aldrich, Allen, Allison, Baker, Burrows, Butler, Carter, Chandler, Clark, Clay, Cullom, Davis—one of the most brilliant men we ever had here, now dead and gone—Deboe, Elkins, Fairbanks, Faulkner, Foraker, Frye, Gallinger, Gear, Gray, Hanna, Hansbrough, Harris, Hawley, Jones of Nevada, Kenney, Kyle, Lindsay, Lodge, McBride, McNery, McLaurin, McMillan, Mantle, Mason, Morgan, Nelson, Penrose, Perkins, Pettus, Platt of Connecticut, Platt of New York, Pritchard, Quay, Ross, Sewell, Shoup, Simon, Spooner, Stewart, Sullivan, Teller, Thurston, Warren, Wellington and Wolcott. Barring myself, that is a very respectable group of Senators. Those who voted in the negative are Messrs. Bacon, Bate, Berry, Caffery, Chilton, Cockrell, Daniel, Gorman, Hale, Heitfeld, Hoar, Jones of Arkansas, Mallory, Martin, Mills, Mitchell, Money, Murphy, Pasco, Pettigrew, Rawlins, Roach, Smith, Tillman, Turley, Turner and Vest. The pairs were as follows: Mr. Cannon and Mr. Proctor with Mr. White. Mr. Wetmore and Mr. Wilson with Mr. Turpie.

A very respectable group of men. I would not impugn the motive of any one of them. Every man who voted for that treaty—some of them voted for it reluctantly after grave consideration, and I was one of them—voted conscientiously and in the belief that President McKinley had been right in negotiating it, and that the Senate was right in ratifying it. This was not a party vote, and when Senators on the other side, with vituperative words inveigh against the ratification of that treaty and denounce it as mistaken "Republican" policy they are inveighing against some of their best associates, some of the oldest and truest Democrats and some of the ablest, most conservative and liberty-loving men their party has ever known.

The President negotiated the treaty and sent it to us. We were independent of him in the action which we took upon it. He had done his part. It was for us to do ours, and we did. For one, I never have seen the hour, Mr. President, when I regretted the vote I cast for the treaty.

Is that what led to war? Is that the origin of all these "atrocities," of all this waste of treasure? Is that what broke

down a "Philippine republic?" Is that what violated the Constitution of the United States? Many brilliant Democrats outside of this chamber were potential by their advice in securing the ratification of the treaty.

The Senator from Massachusetts (Mr. Hoar), whose great career is one of the treasures not only of his state but of this Republic, whose sincerity no one can challenge, and who has done great things, Mr. President, for the whole people and for liberty, took occasion the other day to refer to me by name and to an observation I made when the Mc-Energy resolution was under consideration. I supposed I had on my desk exactly what I said, and intended to quote it, but in substance I said that I would not make promises to a man with a revolver at my breast. I say it now. I said that I would not make promises to men who were training guns, part of them furnished by us, on soldiers of the United States where they rightfully were. I say it now. I have never had, nor have I now, any apology to make for that utterance. The Senator said—

Mr. Hoar—Mr. President—

The presiding officer (Mr. Platt of Connecticut)—Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. Spooner—Certainly.

Mr. Hoar—May I ask the Senator from Wisconsin if he likens the case of an affray breaking out between two armies stationed near together and the general of one of them drawing his troops back and sending word to us that he was sorry it had happened and did not expect to have it break out—on one side the Filipino people and on the other this great Republic—to the case of a man holding a revolver to his breast? Does he think that is a fair illustration?

Mr. Spooner—Oh, Mr. President, I did not limit my remarks to that illustration; the man with a revolver at my breast; and moreover the Filipino troops were not drawn back. They were driven back. (Manifestations of applause in the galleries.)

The presiding officer rapped with his gavel.

Mr. Hoar—I do not think, if the Senator will pardon me, that he quite states the historic fact on that occasion. I understand that Aguinaldo instantly expressed his regret for the occurrence and a desire to maintain peace. Whether he drew back his troops or whether they were driven back, he offered to draw them back and remove the soldiers to a place where it would not occur again. I think, however, I should apologize to the Senator. I do not think it is fair to interrupt him.

Mr. Spooner—I have no objection.

Mr. Hoar—If the Senator will permit me—

Mr. Spooner—Certainly.

Mr. Hoar—I wish to say that I believe it is the desire of the entire Senate that the very able and interesting speech of the Senator from Wisconsin should be concluded without interruption or an attempt to challenge anything he says, and I regret that I rose for the purpose, contrary to my intention. I shall not do it again.

Mr. Spooner—The Senator owes me no apology at all.

The ratification of the treaty did not provoke the attack. Aguinaldo on the 9th day of January had issued an elaborate order for an attack by his troops on our troops. Not only that, but he had written to Benito Legardo on the 7th day of January: "My dear Don Benito: I beg you to leave Manila and come here with your family—not because I wish to frighten you—I merely wish

to warn you for your satisfaction, although it is not yet the day or the week."

The suggestion, Mr. President—and I am involved in this branch of the subject at an earlier time than I intended to be—that Aguinaldo did not desire the outbreak at precisely that time may be true. The cablegram advised that it be done immediately after the ratification of the treaty. But for days before it was done citizens of Manila, to the extent of 40,000 nearly, had been taking their valuables out of the city in anticipation of a fight. Aguinaldo, January 13—after this order of January 9, with over 2,000 words in it, for an attack on our troops at Manila and an uprising in the city—the same day that he appointed peace commissioners to meet those appointed by General Otis to see if terms might not be arranged and a conflict avoided—received this telegram, and here (exhibiting) is a photograph of his autographic reply:

To the president of the republican government, Malolos:

We desire to know the result of ultimatum which you mentioned in your telegram, and we also desire to know what reward our government is preparing for the forces who will first be able to enter Manila.

This was on the 13th day of January, 1899, to which Aguinaldo replied in his own handwriting, as follows:

As to the contents of your telegram, those who prove themselves heroes will have as rewards large sums of money, lands, extraordinary promotions, crosses of Biacnabato, Marquis of Malate, Ermita and Count of Manila, etc., beside the congratulations of our idolizing country on account of their patriotism, and more if they capture the regiments with their generals, and if possible the chief of them all who represents our future enemies in Manila, which (lot) falls to you, or, better said, to General Noriel and Colonel Calles.

The ultimatum has not yet been sent, but will be within a few days.

He had the "constitution of a republic" copied from that of Mexico, of Argentina and of the United States, and it prohibited absolutely the granting of patents of nobility. He had evidently learned early that great American constitutional question—"What is the constitution between friends?" (Laughter.) Here we find him on the 14th day of January, 1899, promising to those who first should enter Manila—inspiring them to attack and urging them to the onset—patents of nobility, crosses of Biacnabato, and extraordinary grants of land and money, though he was a "friend" of ours of course and his "republic" was, and if, after he had attacked us and been whipped and driven back—as I hope every band of soldiers who ever attack the Army of the United States, wherever it is sent, will be defeated—we had made a declaration like the Bacon amendment they would have been our "friends" forever and forevermore!

Mr. President, it has been said here that Aguinaldo, after this attack on our troops at Manila, sent a flag of truce with a request for an armistice. I presume that is what the Senator from Massachusetts (Mr. Hoar) referred to a few moments ago. That has been absolutely denied by General Otis, not only officially, but in his testimony, as I understand it, before the committee on the Philippines. Am I wrong about that?

Mr. Allison—That is right.

Mr. Spooner—What he stated to be the fact was this: Judge Torres, who had been connected with that government, though then not a soldier, and, as I recollect, residing in Manila at the time, came to General Otis, asking if something could not be done to secure an armistice and the delineation of zones which each army might occupy, to the

end that further trouble might be avoided, to which General Otis replied that as Aguinaldo had "commenced fighting he must apply for cessation"; that he "had nothing to request from insurgent government." He passed Torres and his associates through the lines, and they went to Malolos. They came back, reporting what they had stated to Aguinaldo at Malolos, and that he had said—I do not remember the exact language—that if General Otis wanted an armistice he did not object; but he sent back a formal answer by this messenger, Judge Torres, to General Otis; and what was it? It was a declaration of war against the United States.

Mr. President, it was said by the Senator from Georgia (Mr. Bacon) that until the ratification of the treaty, as I understood him, without amendment putting the Philippines in the same relation to us as Cuba, or without the declaration of the Bacon resolution, they were perfectly friendly to us and never had thought of war with us. This surprises me, in view of the fact that it is in the Record, in a document signed by Aguinaldo and his associates of the junta at Hongkong, before he went back to the Philippines at all, that it was decided as one reason why he should go against his will, that in that way he could obtain arms from the United States, and if dissatisfied later with the course of the United States toward the archipelago they could turn those arms against the United States. From the beginning they considered and arranged for the possibility of war with the United States.

It has been said here that they were only children and they ought to be treated like children. I notice one strange thing in all this transaction, when it comes to the Aguinaldo side of this business, to what he wants and what his alleged "republic" wants and are entitled to have, it is said that they had colleges; they had universities; they had music and art; they had great international lawyers; they had doctors; they had all the signs of civilization; they produced constitutions which challenge the admiration of the world, and their discussions of international law were as fine as any that could be found. All this has been said to show that they were fit and civilized and proper representatives of a republic. And yet when we hold them to responsibility for outrage, to responsibility for violence, they are no longer statesmen, they are no longer educated, they are no longer responsible—they are "children!" Well, children have to be spanked sometimes when they do not behave themselves. (Laughter.)

It is said they had been struggling for independence. There is nothing in the history of the Philippine Islands to warrant that statement—nothing that I have ever been able to find. They have had insurrections in those islands, but they have been sporadic. There has never been a general insurrection in the islands. There has been one in this island, that island, and the other against the Spanish government. For what? To secure reforms and in protest against outrages and tyrannies, but never in all the history of those islands have I been able to learn that there has been an insurrection the object of which was independence.

Why, Mr. President, the Senator from Alabama (Mr. Morgan) read this afternoon—and it is very interesting—from some of the captured documents; and among them was found the preliminary treaty of Biacnabato. It was signed by Aguinaldo and was his proposition of terms for discontinuing the insurrection with Spain. He had led an insurrection—this was in 1896; he had been whipped every-

where by the Spanish troops; he had been driven to the mountain fortress of Biacnabato, where he "proclaimed" a republic—a republic of which he was the president, and he was also the republic; and when Paterno went there to propose some adjustment on behalf of the Spanish captain general, Aguinaldo consented and presented his terms. I only mention this, Mr. President, to show how much idea Aguinaldo had of a republic and of independence.

You will remember that some time before the war broke out with Spain, or about the time, Agoncillo proposed an alliance between the Filipino republic and the Republic of the United States, when the Filipino republic was without an army, without a ship, without a local habitation—a junta in Hongkong. This draft, which Aguinaldo wanted signed by the Spanish captain general for putting an end to the insurrection in the Philippine Islands, he drew in this way:

The Excellent Senor Don Pedro Alejandro Paterno, having unexpectedly appeared in the mountain of Biacnabato on the 9th of August, 1897, in the headquarters of the president of the Philippine republic,—

Proposing terms by which he and his companions, in consideration of a certain sum of money should surrender their arms and leave the Philippines, he still asked the Spanish government to recognize the Philippine republic; and him, as its president, and Paterno struck out this childish recital:

The undersigned, Don Emilio Aguinaldo, president of the Philippine republic—

They struck out "president of the Philippine Republic" and put in "chief of the revolutionary army." They agreed upon the money consideration; and here were the reforms which he asked: He was going to quit, to surrender his arms, and go over to Hongkong or Singapore.

I. Expulsion of the religious orders or at least regulations forbidding them to live together in cloisters.

That was stricken out. The Spaniards would not accept it.

II. Representation of the Philippines in the Spanish Cortes.

That was stricken out.

III. Application of true justice in the Philippines, equal for the Indian and the Spaniard. The same laws in Spain and the Philippines. The Indians to have a share in the higher offices of the civil administration.

That was left.

IV. Change of the laws governing property, upon taxes, and the holding of church benefices in favor of the Indian.

That was left.

V. Proclamation of the individual rights of the Indian, as, for example, his liberty to combine with others in associations, and the liberty of the press.

That was left, and all the rest of it was stricken out, ultimately, with the reforms omitted, and this was a part of it:

I. Don Emilio Aguinaldo, in his quality as supreme leader of those in the island of Luzon now waging open hostilities against legitimate government, and Don Baldomero Aguinaldo and Don Mariano Llanera, who also exercise important commands in the forces mentioned, are to cease their hostile attitude, surrender their arms that they are using against their fatherland, and are to surrender to the legitimate authorities claiming their rights as Spanish Filipino citizens, which they desire to preserve.

It was ultimately signed and executed with the reforms omitted, part of the money was paid, and they expatriated themselves.

Mr. Cullom—What was the money consideration?

Mr. Spooner—Eight hundred thousand dollars, and they left the country and carried

the Philippine Republic with them. (Laughter).

Talk about the similarity between the situation in Cuba and the situation in the Philippine Islands! Cuba had been struggling for independence, there had been a ten years' war for independence. We had for years heard the two words—now, thank God and the American people, true—"Cuba Libre!" "Cuba Libre!" They were not fighting for reforms.

They had asked them, they had been promised them; they had been cheated again and again, until the Cuban people resolved that nothing—and that was long ago—but independence of Spain would content them; but there never has been, as I said before, and there was not when Dewey entered Manila Bay, an insurrection or a struggle in the Philippine Archipelago for liberty or independence from Spain. On the contrary, Aguinaldo proclaimed shortly after he reached Manila that he came there to prevent his associates, the former insurgents, from joining the Spaniards in an attack upon the Americans. Senators who seek to draw a parallel in the situation so far as a struggle for liberty was concerned—and when I say "liberty" I mean independence—between the Cubans and the inhabitants of the Philippine Archipelago, speak without support in history.

We ratified the treaty and we drove Aguinaldo away from Manila. Does any Senator deny our right to be in Manila? The Spaniards had surrendered Manila to us. By the protocol we had entered into a solemn compact with Spain to hold Manila, and we were with our troops in and around Manila, where we had as much right to be as we have to sit in this chamber under our flag. I say to-day again what I said a day or two after the treaty was ratified, that the attack made by Aguinaldo upon our Army was as wanton, deliberate, unrighteous, and unjustifiable an invasion of our rights as ever could have occurred in the world, and he knew it.

It has been said that President McKinley declared war, usurping a function committed to Congress by the Constitution, by sending the instructions to General Otis, of December 21, to extend our sovereignty over the archipelago. Who was that war declared against? What was that war declared against, if it were war? Of course the President could not declare war. Only Congress can declare war. If it be true that there was a government there which had succeeded to the sovereignty and the property of Spain, then we would derive no title by the treaty, and the proclamation by the President directing our officers to extend American sovereignty over the archipelago would be, in effect, a declaration of war.

But it is necessary, in order to sustain that proposition, to first establish another—which has not been established and can never be established—that there was a government there against which war could be declared.

Aguinaldo did not treat that proclamation of General Otis as a declaration of war. That proclamation, or those instructions issued by the President, of course, antedated the ratification of the treaty. Technically that was an offense upon the part of the United States, or the President, at least, against Spain, for her sovereignty could only be devolved upon us by the ratification of the treaty and the exchange of ratifications.

General Otis has testified before the committee that General Miller was sent to Iloilo, I think without instructions from

Washington, upon the prayer of the people—the merchants, the foreigners and natives of Iloilo—that they needed his protection. When he sailed for Iloilo it was supposed by General Otis and by General Miller that the Spaniards were still in possession. It would have been a matter entirely between Spain and the United States if in that situation we had taken possession of Iloilo. General Rios had notified General Otis that he needed troops, and had asked him to loan him—it was a strange request—2,000 of the Spanish prisoners, that he might the better hold Iloilo. The insurgents had attacked Iloilo and had been repulsed with a loss of 500 and a large number of wounded, and had withdrawn.

Just before General Miller reached Iloilo General Rios withdrew from that city under instructions from the Spanish government and betook himself to another Spanish place. General Miller was not instructed to fight. On the contrary, he was instructed not to use force without further orders. General Miller, the Senator from Massachusetts (Mr. Hoar) will now admit, was not anxious to fight.

Mr. Hoar—No.

Mr. Spooner—Well, I saw put in the Record by the Senator from Massachusetts (Mr. Hoar), I think in this morning's Record, a letter from General Miller saying that he was not.

Mr. Hoar—No; I beg the Senator's pardon. I did not mean to interrupt the Senator. After reading General Miller's letter I disclaimed any idea that he published that proclamation for the sake of bringing on a fight; but by the record, which I said I had not time to read, General Miller had repeatedly urged General Otis that he might be permitted to attack at once, fearing that the enemy were constantly increasing their strength, and that it would be much easier to do it the sooner it was done. Undoubtedly General Miller did not want the conflict—

Mr. Spooner—Well, General Miller—

Mr. Hoar—Let me state what I said exactly, because it is important to myself that it should be stated correctly. I do not believe that General Miller, especially after reading his letter—and no man can believe it—was in favor of this conflict or wanted to bring it on; but what he did want, if I correctly recollect his letter, which you will find in the old report, is that, if he had to make the attack, it should be made at once, instead of waiting until the enemy had strengthened. That is the exact fact about it.

Mr. Spooner—Any man would want to do that.

Mr. Hoar—I wanted simply to put myself right, because I did, of course, an injustice to General Miller the other day, which I tried to repair as thoroughly as I knew how.

Mr. Spooner—That is all I said and that is just what I said that the Senator from Massachusetts stated, that General Miller, "who notoriously did want an attack, produced it, and Aguinaldo met it with an instant and severe defiance."

Mr. Hoar—That I took back.

Mr. Spooner—That General Miller denied, and that denial the Senator from Massachusetts accepts. So that element drops out of the case.

On January 5, as I recollect it, General Otis' proclamation was published in Manila. In that he referred to some instructions issued by the President of the United States. Then came a protest from Aguinaldo to the world against "this invasion by the United States of the sovereignty of my govern-

ment." But in the declaration of war, which he sent to General Otis and which is published in the document which I cannot this moment find, he states his grievances for himself, and he does not allude to that.

He places it entirely on the alleged attack of our Army upon his army without justification, and also the outrages and injustice perpetrated in and around Manila, to which he had called attention in a former paper.

No one, so far as I know, Mr. President, of the Filipinos has justified that attack upon our troops by President McKinley's proclamation. It has all been done here, not there. I suppose even Aguinaldo might be trusted to put in his own proclamation his own grounds for declaring war.

I have found his order to the Philippine army declaring war, in which he omits any mention whatever of this proclamation by General Otis or these instructions of President McKinley. I will not take the time to read it, but I will ask that it may be inserted as a part of my remarks. It is on page 104 of Document No. 208.

The order referred to is as follows:

GENERAL ORDER TO THE PHILIPPINE ARMY.

Nine o'clock P. M., this date, I received from Caloocan station a message communicated to me that the American forces, without prior notification or any just motive, attacked our camp at San Juan del Monte and our forces garrisoning the blockhouses around the outskirts of Manila, causing losses among our soldiers, who, in view of this unexpected aggression and of the decided attack of the aggressors, were obliged to defend themselves until the firing became general all along the line.

No one can deplore more than I this rupture of hostilities. I have a clear conscience that I have endeavored to avoid it at all costs, using all my efforts to preserve friendship with the army of occupation, even at the cost of not a few humiliations and many sacrificed rights.

But it is my unavoidable duty to maintain the integrity of the national honor and that of the army, so unjustly attacked by those who, posing as our friends and liberators, attempted to dominate us in place of the Spaniards, as is shown by the grievances enumerated in my manifest of January 8 last, such as the continued outrages and violent exactions committed against the people of Manila, the useless conferences, and all my frustrated efforts in favor of peace and concord.

Summoned by this unexpected provocation, urged by the duties imposed upon me by honor and patriotism and for the defense of the nation intrusted to me, calling on God as a witness of my good faith and the uprightness of my intentions—

I order and command:

1. Peace and friendly relations between the Philippine forces and the American forces of occupation are broken, and the latter will be treated as enemies, within the limits prescribed by the laws of war.

2. American soldiers who may be captured by the Philippine forces will be treated as prisoners of war.

3. This proclamation shall be communicated to the accredited consuls of Manila, and to Congress, in order that it may accord the suspension of the constitutional guaranties and the resulting declaration of war.

Given at Malolos, February 4, 1899.

EMILIO AGUINALDO,  
General in Chief.

General Otis had notified Aguinaldo days before the attack of his instructions from Washington not under any circumstances to attack him. He had told him that he was instructed to avoid by every possible means a conflict between his army and the army of Aguinaldo. And that is not all. Aguinaldo had been otherwise informed. He had received a notice through the junta from here that the President had instructed General Otis not to attack his troops.

This is from Santos, Hongkong:

Hongkong, January 26, 1899.

Honorable President of the Filipino Republic, General Don Emilio Aguinaldo:

My Distinguished General and Dear Friend—After sealing my former letter of this morning, Reuter's telegram arrived containing the good news that General Otis has been ordered not to attack the Filipinos. Our efforts here have not been in vain. They, together with your firm attitude, have forced the Yankees at least to reflect.

I will not read the rest of it. So I say again it was a perfectly wanton attack upon our troops, who were rightfully in and around Manila.

Senators talk about the President declaring war. Who sent the Army to Manila? First, the President, on the request of Admiral Dewey, in order that they might take possession of Manila and hold it, Congress being in session. There was a critical act, I think. If those troops had not been sent to Manila to take possession of that city the situation might have been a little different. No man in the United States, so far as I know but one, found any fault with the President for sending those troops to Manila. No man in the Senate, however he may upbraid us for what has followed, found any fault with the President for sending those troops to Manila, although one Senator found fault with him here for not sending them with sufficient promptitude. The one Senator who objected to it, or afterward stated here that he had objected to the President's action, is now dead and gone, a Senator who had spent some time in the Philippines in his early years, and that was General Sewell of New Jersey.

The fighting went on there. We passed the army bill. What for? I ask this question because of the attitude of some Senators here to-day. We passed it February 27, 1899, after the ratification of the treaty, when we were at peace with Spain and all the world, with no war cloud upon our horizon except in the Philippines. The army bill was passed to furnish to the President troops with which to maintain the sovereignty of the United States in the Philippines. There was a halting point. Who called a halt? I have here the vote upon it. I will name the Senators who voted for it. The bill was a great mistake in one respect. My friend from Iowa (Mr. Allison) remembers how it was. The term of enlistment was limited to July 1, 1901. It expired absolutely on that day, and the necessity for raising new troops, hurrying them away, and withdrawing the others prolonged the insurrection in the islands. That was our mistake, not the President's. But we could do no better in the then situation.

Mr. Allen voted for it; Mr. Allison, Mr. Bacon voted for it; Mr. Burrows, Mr. Carter, Mr. Chandler, Mr. Clark, Mr. Cockrell, Mr. Cullom, Mr. Deboe, Mr. Elkins, Mr. Fairbanks, Mr. Faulkner, Mr. Foraker, Mr. Frye, Mr. Gallinger, Mr. Gear, Mr. Gorman, Mr. Hanna, Mr. Hansbrough, Mr. Harris, Mr. Hawley, Mr. Heitfeld, Mr. Jones of Nevada, Mr. Lindsay, Mr. Lodge, Mr. McBride, Mr. McEnery, Mr. McLaurin, Mr. Mallory, Mr. Mantle, Mr. Mitchell, Mr. Money, Mr. Morgan, Mr. Murphy, Mr. Nelson, Mr. Pascoe, Mr. Perkins, Mr. Pettus, Mr. Platt of Connecticut, Mr. Platt of New York, Mr. Pritchard, Mr. Proctor, Mr. Rawlins, Mr. Roach, Mr. Ross, Mr. Sewell, Mr. Shoup, Mr. Simon, Mr. Smith, Mr. Spooner, Mr. Stewart, Mr. Teller, Mr. Warren and Mr. Wellington.

Who voted against it?

Messrs. Bate, Berry, Butler, Caffery, Chilton, Clay, Daniel, Hoar, Martin, Pettigrew, Turley, Vest and White.

What was that army raised for? What did

Senators of the minority vote with us to raise it and send it to the Philippines for? And in the face of that record they tell us that we ought to have known that a war between a civilized nation and an inferior people could not do otherwise than bring about cruelty and atrocity. Was there any politics in this? Are senators on the other side who voted to raise this army and send it to the Philippines in a position to turn on us with the vituperation and challenge which has characterized this debate? I do not know how my friend from Tennessee (Mr. Carmack) voted on this in the House.

Mr. Carmack—Mr. President—

Mr. Spooner—I did not mean to challenge the Senator, although I will gladly hear him.

Mr. Carmack—I was just going to say that I probably voted in accordance with the principle laid down by Abraham Lincoln in voting for troops and supplies for the Mexican war, and that I would so vote again.

Mr. Spooner—That comes pretty near pleading the same act that is pleaded for the Filipinos when they do wrong things. We are not children. Every man who voted for that—and it was only a few days after the treaty was ratified—voted for it upon the basis that we had acquired title and sovereignty from Spain and had paid for it, and that we were to enforce our sovereignty, and constitutionally and properly do it, in the Philippines, and that our sovereignty was being forcibly resisted by men who had no right to resist it.

Now, Mr. President, what policy did President McKinley have as to the Philippines after we had ratified the treaty and acquired the title and the sovereignty of Spain? The President's duty was to enforce the sovereignty of the United States in those islands. He could not make disposition of the islands; he could make no promises to the inhabitants of the islands. He gave us this notice in his message:

Until Congress shall have made known the formal expression of its will I shall use the authority vested in me by the Constitution and the statutes to uphold the sovereignty of the United States in those distant islands as in all other places where our flag rightfully floats. I shall put at the disposal of the Army and Navy all the means which the liberality of Congress and the people have provided to cause this unprovoked and wasteful insurrection to cease. If any orders of mine were required to insure the merciful conduct of military and naval operations, they would not be lacking—

One would know that if he had not said it—

but every step of the progress of our troops has been marked by a humanity which has surprised even the misguided insurgents.

And there is overwhelming evidence that the President was not misinformed as to that fact.

The truest kindness to them—

This is what you find in General Order 100, approved by Abraham Lincoln. This is what you find in every enlightened work upon the subject. This is what General Bell thought; this is what General Chaffee thought; this is what General MacArthur thought, and it is the truth:

The truest kindness to them will be a swift and effective defeat of their present leader. The hour of victory will be the hour of clemency and reconstruction.

No effort will be spared to build up the waste places desolated by war and by long years of misgovernment. We shall not wait for the end of strife to begin the beneficent work.

Nor did we. Never in the annals of time—say what you will about the "brutal" policy, as you call it, of the "administration" in the Philippines—has there been carried by an army so much of amelioration, 90

much of kindness and tenderness and up-building in the line of civil government as was carried by this Army of ours under the orders of William McKinley. It was destructive, of course, as all war is destructive, as all armies must be destructive, but along with the destructive power of the Army went the constructive forces of peace and humanity.

We shall continue, as we have begun, to open the schools and the churches, to set the courts in operation, to foster industry and trade and agriculture, and in every way in our power to make these people whom Providence has brought within our jurisdiction feel that it is their liberty and not our power; their welfare, and not our gain—

Not exploitation; not an opportunity for "Republican thieves"—

their welfare, and not our gain we are seeking to enhance.

Teh Senator from Tennessee (Mr. Carmack), whom I admire, will not doubt the sincerity of that utterance, I know.

And by the act of February 2, 1901, "An act to increase the efficiency of the permanent military establishment of the United States," the President was authorized to maintain the enlisted forces of the Army at their maximum strength, as fixed by the act, "during the present exigencies of the service, or until such time as Congress may hereafter otherwise direct." This had especial reference to the situation in the Philippines, and the act was passed without a division in the Senate, although there was much debate and there were many divisions upon some of its provisions. From the beginning it has been recognized by both parties that resistance to our sovereignty in the Philippines must be overcome by the military forces of the government. The minority substitute for this bill contemplates that, if it is necessary.

Senators who will have so much to say about the Army in the next campaign and about the Republican policy in sending it there, and about the result, which some of them say they predicted, that a conflict between an army of civilization and an inferior race would be productive of atrocity, should read the record to the people and show their own responsibility for sending that Army there.

I could not understand for a while the extreme bitterness of the Senator from Tennessee, but toward the end of his speech when he told us that he had foretold that in a conflict between the forces of civilization and an inferior race there could be nothing but cruelty; that that people would never be our friends; that they would hate us through all the centuries, I understood it, because if those things do not all happen the Senator from Tennessee will not have been a prophet.

Of course it has been shown many times that Aguinaldo almost from the beginning of the arrival of our troops was hostile to us. He did not want to permit them to land. He prohibited the landing of others without notification to him of what they were brought there for. He would not allow them to purchase supplies; he forbade supplies being furnished until he was notified that we must have them, and that if he did not authorize their sale to us we would pass his lines and take them; and he "plumed" himself upon his "magnanimity" that he did not cut off the water supply of the great City of Manila. He gave every indication that he had become what Admiral Dewey said he was—a swelled head and determined to have trouble.

As early as September, 1898, this distin-

guished president of a "friendly" republic—to which we are "denying independence"—which they are incapable, left alone, of creating upon any standard ever recognized in the world, gave these instructions. Remember this is September, long before we demanded the cession of the Philippine archipelago:

AGUINALDO'S ORDERS TO GENERALS COMMANDING THE ZONES ABOUT MANILA,

DIRECTING THE WITHDRAWAL FROM MANILA, SEPTEMBER, 1898.

General Pio del Pilar:

Give instructions to have a detachment posted in the interval from the branch of the river of Paco in a northerly direction to the bridge, and so on up to the Pasig River in the direction of Pandacan, the river serving as a line until suburb of Tanque is reached, which will be under our jurisdiction. Proceed to execute this order on its receipt, posting detachments where they are necessary, and trenches will be made without loss of time, working at this both day and night. Do not rest, for by doing so we may lose the opportunity. Beg of the troops to assist in the formation of intrenchments. Matters have a bad aspect. We especially expect something on the days of Wednesday and Thursday, 16th and 15 of this month. The danger is pending on the mentioned days, also in the time that follows.

Keep strict vigilance at all hours. In case you receive orders to leave that place, do not do so on any account without my orders, happen what may.

Send the forces in Perez's house (situated on the other side of the bridge) to the town of Paco and post them in their places in Tanque, adding three more companies; and post separate detachments up to Pandacan, but close enough together to see each other.

Have the furniture that is in Perez's house taken out and sent to Santa Ana before Captain Salvador and his forces leave said house. Order the band to accompany the troops on their march to Paco, the same as will be done in Ermita and Malate. Have all the musicians dressed in uniform; those who have no uniform must borrow from the men in the ranks. Keep the places where detachments are posted a secret in the meantime.

Concentrate all your forces in Santa Ana before the day arrives.

Warn your soldiers against firing at random, as the Spaniards did; if possible, have them calculate the number of their antagonists and how much ammunition there is in comparison with the number of the attacking force; in fact, there are occasions when each shot fired kills as many as four men.

I hope you will see to the execution of these instructions, and that you will maintain the honor of Filipinos by your courage, and in no way permit that your rights be trampled under foot.

General P. Garcia:

On Wednesday, the 14th of this month, you will post detachments in the points indicated by crossed lines on the inclosed plan. On receipt of this, and as soon as you learn its contents, proceed secretly to determine the most suitable places to post detachments, and immediately post our troops and have intrenchments made, employing day and night in this work. Beg this of our soldiers.

Noriel or Cailles:

At 8 o'clock in the morning of Wednesday, the 14th, retire your command out of the town of Malate, as indicated on the inclosed plan; from the bridge in Singalong and in a straight line from there to the branch of the river in Paco will be the line of our jurisdiction, even though we may not be of one mind in the matter. On receipt of this proceed to determine the most suitable places to post our troops, even if they are not supplied with batteries. On posting the detachments, give instructions to have in-

trenchments made immediately without resting, especially on the days of the 15th and 16th.

Matters present a serious aspect; do not lose vigilance, and be on the alert at all times. Beg our soldiers to assist in the works in order not to lose time.

Consecrate all the forces and have a call to arms in Cavite, so that all the troops may be in Pasay on Wednesday night.

In case the Americans attempt to order you out, do not leave your posts, happen what may, but exercise prudence and be prepared, leaving them to give the provocation. Answer them that you have no instructions given you with regard to what they ask.

Note—In handwriting of E. Aguinaldo.

All this was directed against the Americans by the friendly president of a friendly republic.

The Filipinos, with studied insult month after month, as all the testimony of our officers shows—truthful and accomplished officers—by every means in their power attempted to evoke a hostile demonstration from the United States troops, and General Otis says that Aguinaldo was happy when Miller went to Iloilo because the "first gun would be fired by the United States." They waited until two days before the vote upon the treaty, and they found both by cable from here and by notification from General Otis that the United States would not fire a gun, and then they took the initiative.

Another thing I have never been able to understand, and I have never heard it explained or attempted to be explained on the other side, either. It has been referred to, but I have never heard any explanation of it. It is that Agoncillo and his secretary, who had been for weeks stopping at the Arlington in this city, representing the Philippine republic (so called) at midnight on February 4, without notifying the hotel people, without paying their bills, secretly left for Canada. And when the next morning, on February 5, we learned for the first time of the outbreak in Manila, their attack upon our troops there, they were approaching the Canadian line.

They need not have run away. They knew the treaty was to be voted upon the next day. They knew the Vest amendment, putting them on the same basis with Cuba, was to be voted upon that day or the day afterward. They knew that the Bacon resolution was pending. Why in this way did they withdraw from Washington? They knew—there is no other explanation of it—that word would come from Manila of an attack upon our troops, and they thought foolishly that it would be healthier in Canada than in Washington. And all this revived effort to put the Army of the United States over there in the wrong, to satisfy the people that we brought about that outbreak is in the face of evidence which is overwhelming and incontrovertible.

Among the charges, Mr. President, that have been made in this debate is one made by the Senator from Utah (Mr. Rawlins) more sinister and ugly than any I have heard before. If it were true every man in this Chamber would hang his head:

The message to the people of the United States announcing the beginning of hostilities, the Senate of the United States then having under consideration the question of the ratification of the Paris treaty, is said to have been put upon the wires two hours and a half before even the American sentries killed the Filipino patrol coming from blockhouse No. 7.

In other words, it is said to have been put upon the wires for transmission at Manila two hours or more before the outbreak oc-

curred. And then the Senator from Utah says:

In order to get time for the message to arrive here it was necessary to have the hostilities begin at half past 8, whereas according to the testimony of General MacArthur they did not actually begin until half past 10 on Saturday night, the fourth of February.

General Otis reported and he has testified before the committee that they began about 8:45. General MacArthur reported officially that they began at 8:30. General Hughes has testified before the committee that they began at 8:30. General MacArthur, when his attention was called to it again, said he stood by his report, and that he had testified hastily and inadvertently that they began about 10:30. I recollect his testimony. Here is the argument of the Senator from Utah:

There was the overwhelming political necessity. There was the war that Congress did not declare. There was the war for which the American people are not responsible. There was the war begun not by any recognized authority emanating from the people of the United States. There was the war either begun by General Otis or begun by the President of the United States without the sanction of the sole repository of that power under the Constitution.

I took occasion to look into that matter a little, because the imputation there is that there was a "political necessity" for its influence upon the vote on the treaty that news of the outbreak should get here at a certain time, and that in contemplation of the outbreak, which we intended should occur, the message had been put upon the wire two hours or more before the outbreak did occur. The fact is that the first official information received in Washington about the outbreak was a cablegram from Admiral Dewey, received here February 5, 1899, at 8:05 A. M., as follows:

Manila, Received February 5, 1899, 8:05 A. M. Secretary of the Navy, Washington.

Insurgents have inaugurated general engagement yesterday night which is continued to-day. The American Army and Navy is generally successful. Insurgents have been driven back and our line advanced. No casualties to Navy. In view of this and possible future expenditure, request ammunition requisition doubled. DEWEY.

General Chaffee was asked to ascertain when that cablegram was filed in Manila for transmission, and replied as follows:

Manila, May 20, 1902.

Adjutant General, Washington.

With reference to your telegram of 19th, records cable company show Dewey's message, 41 words, filed 6.02 evening February 5; message, 20 words, filed 11 morning, February 6. Original messages sent London. Otis message dated February 5, filed 8:32 morning, February 6. CHAFFEE.

Thus the fact is that this message of Admiral Dewey was filed for transmission at two minutes after 6 on the evening of the 5th of February, twenty-one hours after the outbreak had occurred, and refers to an outbreak having occurred yesterday night. At the time—there being thirteen hours difference between Manila and here—that telegram was filed for transmission—6:02 in the evening of February 5—it was 5 o'clock or thereabouts in the morning, February 5, here, and this message was received from Dewey at five minutes after 8, which gave it three hours and five minutes for transmission and delivery.

I have here a letter from General Otis and a letter from Secretary Root upon the subject, which I do not care to read, but ask leave to insert.

Rochester, N. Y., May 18, 1902.

Adjutant General, U. S. A., Washington:

Sir—In answer to your communication of

the 16th inst., I have the honor to report that I am quite certain of the correctness of my statement that the insurgents commenced the attack on our outer lines around Manila about 8:45 P. M. on the evening of February 4, 1899; that the time was fixed by referring to my watch that evening and consulting with the officers of my staff the following day.

No report or dispatch of any kind was sent from the Philippines to the United States announcing that fighting had begun or was in progress until after 4 o'clock on the afternoon of February 5, to my knowledge. Certainly none was sent by me, nor by any officer of the Army. Some twenty hours after hostilities had commenced I cabled facts and results, and not until then. Shortly after I sent that cablegram I received a dispatch from Washington, purporting to be signed by the Adjutant General of the Army, which read, according to my present recollection, as follows: "They say you are fighting. Why do not you report?" Evidently Washington obtained information from some source; where, I do not know. It might be well to ascertain what inspired the Adjutant General's dispatch.

Very respectfully, your obedient servant,  
E. S. OTIS, Major General, retired.

War Department,  
Washington, May 20, 1902.

My dear Senator—I find that the first information of the beginning of hostilities between the insurgents and the American troops at Manila on the 4th of February, 1899, received by the government at Washington was contained in a dispatch from Admiral Dewey to the Secretary of the Navy, received at the Navy Department February 5, 1899, at five minutes after 8 o'clock in the morning, Washington time. It was in cipher and you already have the translation. It was filed for transmission at the office of the cable company in Manila two minutes after 6 o'clock on the evening of February 5, Manila time, twenty-one hours after the hostilities began, as appears from a dispatch received from General Chaffee to-day, a copy of which I inclose. The first information received from General Otis, who commanded the American Army at that time, was contained in a dispatch (a copy of which you have) received at the War Department February 5, at 10:52 P. M., Washington time, and this appears, by General Chaffee's message, to have been filed for transmission at the cable office in Manila at 8:32 in the morning of February 6, Manila time, nearly thirty-six hours after the fighting began.

I wish to make two observations regarding Senator Rawlins's charge in his speech of April 23:

(1) Admiral Dewey's dispatch said: "Insurgents have inaugurated general engagement yesterday night, which is continued to-day."

General Otis's dispatch said: "Insurgents in large force opened attack on our outer lines at 8:45 last evening. Renewed attack several times during night. At 4 o'clock this morning entire line engaged."

If Senator Rawlins's charge were true, then Admiral Dewey and General Otis, or at all events the former, would be guilty of a gross fraud and falsehood in stating that an event occurred the day before, when in fact it had not yet occurred.

(2) Senator Rawlins evidently figured the difference in time between Manila and Washington the wrong way, or more probably accepted the statements of some one else who had figured it the wrong way. The sun rises in Manila thirteen hours earlier than it does in Washington, and Manila time is therefore thirteen hours later than Washington time, so that at five minutes after 8 in the morning of February 5 in Washington, when Admiral Dewey's dispatch was received, it was five minutes after 9 in the evening of February 5 at Manila.

I send you also a copy of a letter from General Otis, which states his knowledge of the facts. General MacArthur's testimony fixing the beginning of the fighting at half past 10 on the night of the 4th of February, whereas Otis's dispatch fixes it at 8:45, is of course immaterial in view of the long time which elapsed before the dispatches reporting the engagement were sent. The dif-

ference is probably due to the fact that MacArthur had in mind the time when he got into the fight with the troops under his command, while Otis was reporting the first fighting done by any troops.

Faithfully yours,  
ELIHU ROOT.

Hon. John C. Spooner,  
United States Senate.

Inclosures.

I could not allow this matter to pass without some notice. It is only due to the Senator from Utah (Mr. Rawlins) that I should say he did not assert it. He said "it is said," and I took the trouble to ascertain the facts, not having any doubt whatever about it, but in order that they might be put off record, once for all.

Mr. Spooner—Mr. President, I acknowledge with grateful sensibility the courtesy of my colleagues on both sides of the chamber in permitting me on Friday to suspend. I was not able to proceed, and this morning, if I were not in the middle of a speech, I would not ask the attention of the Senate.

The Senator from Massachusetts (Mr. Hoar) a moment ago seemed to be surprised that there were "sides" in this committee investigation. I agree with him. There ought not to be sides in it. After the ratification of the treaty, and with an army in the field, there ought not to have been "sides" here at home. One of the troubles, Mr. President—one of the wicked elements in it all to me—is that, without necessity, there have been from the beginning and are now "sides" in this matter.

It is a problem of great delicacy, novelty and not a little danger. It is the problem of no man and no party, and the interest of the country demands now, as it has hitherto demanded, in my judgment, that men in public life and private life should bring to the solution of it a sole desire to get at the right without pride of opinion or spirit of advocacy or party interest.

Recurring for a moment to a remark which I made on Thursday, that I have not been in favor of permanent dominion in the Philippine Islands, in order to make it complete I wish to add a word. I did not mean by that that I have ever been in favor of running like a coward from responsibilities which this government had assumed. I did not mean by that that I had been in favor of abandoning a people who have come under our protection and government to tyranny, to anarchy, to chaos, or to seizure by those who would treat them harshly. I have never been able for one moment to contemplate with equanimity the proposition that the Philippines should ever be admitted into this Union as a state or states. I have never been willing to contemplate the admission of Hawaii into the Union as a state.

Speaking only for myself—and I have no right to speak for others nor for my party—I have never contemplated with equanimity the notion that Porto Rico should be admitted into the Union as a state. Nothing has been dearer to my heart, nor can be, outside of the ties that bind me to my own home, than that this great political entity, the government of the United States, constituted of states, shall be confined to this continent.

I have expected that we would proceed to discharge as speedily as might be, with as lofty a purpose as the human mind is capable of conceiving, our duty in the Philippines, to bring peace to that people, to teach them the principles of good government, the difference between liberty and license, that independence, Mr. President, may be nothing but tyranny as under many governments it

has been nothing but tyranny; that that independent government which is to be desired is a government made by a people understanding the rights and duties of liberty, tutored in the ways of government, and made and perpetuated by their consent. So, I have hoped that that time would come, as I believe it will. When it will come no man can say. It has been delayed. It will be delayed by the division of our people into "sides" upon the subject. Were that people fit for self-government and the question arose whether we would admit them as states, keep them forever in a condition of colonial dependence, or—being fit—give them self-government or independence, I have never permitted myself to doubt for one moment that the American people, consulting the consent of the governed then fit to be consulted, would say "take self-government, or take independence."

If there is party division upon it, Mr. President, when that time comes then will there be an issue of imperialism. Up to this hour no such question has ever arisen, in my judgment, except for party purposes, or as the outgrowth of the pride of individual opinion. When that time comes the people may be trusted to settle it righteously.

There has not been in the history of this country, so far as I know, an instance before where some of our people in high places have sought so incessantly, and I think so unfairly, to put the nation in the wrong, and to stain the honor of the government, resolving every doubt against the officers of the government and in favor of the loose, disjointed statements of men who have been in arms against us.

It was stated here the other day and repeated (that song has been sung from the beginning) that we were at fault in the Philippines anterior to the outbreak of hostilities because the patrol which attempted to force our lines was challenged but twice. There is no rule of the Army that requires a challenge three times; there is none which requires a challenge twice; there is none under certain circumstances which requires a challenge once. General MacArthur testified before the committee that, if a sentry has reason to think that those moving against him place him in menace, he has not only a right, but it is his duty to fire. That is to give warning to those for whom he stands guard; that is to protect the safety of an army, Mr. President; and no one knows any better—although in some respects there has been an attempt to criticise him here—what the laws of war are than does General Arthur MacArthur, nor is there a braver soldier, a kindlier man, or a more chivalrous gentleman under this flag of ours than General Arthur MacArthur.

The Senator from Utah (Mr. Rawlins) said that when our sentry called "Halt!" "probably" the Filipino patrol did not understand the language. I had occasion once before to say that there never was a band of soldiers in the world approaching the lines of another who were called to halt by one with arms in his hands who did not understand what it meant. But General MacArthur has testified before this committee that the word "halt" in Spanish is "halto," having the same sound as in our language, and there is evidence that that word was repeated—the word "halto"—in Spanish among the patrol the moment the sentry had said "Halt," showing that it was understood, and yet for the purpose of putting us in the wrong by suggestion that unnecessarily, perhaps with malice, a shot was fired in order to bring on the attack or for its effect upon the treaty

then pending in the Senate, a breach of the peace—all this is ignored.

Mr. President, we have had again and again here in this debate the old talk that Aguinaldo was our ally; that the Filipino people were our allies. This notion that Aguinaldo with, say 30,000 men gathered around him, intending in a way to co-operate with us, represented the Filipino tribes of 10,000,000 and put them in the attitude of an ally, to whom for that we were under national obligations, is a fever dream. Aguinaldo—call him an ally if you please, though he could not be—co-operated with us; but if he had been an ally, as he was a mere auxiliary, he could have waited, and he would have had from the people of the United States the treatment and recognition which he and his forces deserved. But the idea from the standpoint of to-day that our people are to be told all the time that we have repudiated an honorable obligation to a people who helped us is to me in the highest degree an absurdity.

When Aguinaldo, Mr. President, with deliberation in the execution of a plan long made in every detail, advised both from abroad and at home, attacked our Army in Manila, where it had a right to be, he absolved the American people from any obligation personally to consider him for what he had, for his own purposes, as he afterward said, done in front of Manila. I pass that. I hope never to have occasion again to speak upon this general subject in the Senate. Should I, however, do so, I shall not again refer to the oft repeated historical details to which I have alluded on Thursday and to-day, because the character of the debate has seemed to render it necessary.

Mr. President, it has been repeated with some bitterness in this debate that by the ratification of the treaty we bought mere sovereignty over people, and that under our Constitution we could not do this thing. This contention came early into the Philippine discussion. I thought once there might be something in it. It was admitted when first made, as I remember, that we could acquire territory, even if it were inhabited, but that where there was no territory, nothing but a few public buildings, docks, etc., an attempt to acquire involved the purchase of mere sovereignty.

I dwell only for a moment upon this phase of the discussion. I am not able to say that we could not acquire mere sovereignty. I cannot say that we have not the power to do it. I can conceive of circumstances under which the safety of the government would require that we should do it, and I do not think the government would hesitate in such a case to do it. But we know now what we did not definitely know when this proposition was first broached, that of the 72,000,000 acres of land in the Philippines, 67,000,000 acres were public lands, the title to which passed from Spain to us by the treaty. If the acquisition of 67,000,000 out of 72,000,000 acres of land is not the acquisition of territory it would be difficult to imagine what would constitute an acquisition of territory.

I have discussed this matter before and I will never admit that the government of the United States may not lawfully as indemnity at the end of a war successful upon its part, take a cession of inhabited territory without consulting and obtaining the consent of its inhabitants. I deny that any such limitation upon the power of nations has ever been recognized in international law or by any gov-

ernment in the world, including our own. I do not see that the Declaration of Independence has any relation to it. Its framers said:

That these United Colonies are and of right ought to be free and independent states. \* \* \* and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.

We lost no power by the adoption of the Constitution, which created a Union and the federal government. That Constitution gives us the power to make treaties, to make war, and to make peace; and again I repudiate as dangerous to the Republic any attempt to emasculate the powers of this government under the Constitution and to leave it weaker in this particular than any other independent nation in the world.

We may take cession of inhabited territory as indemnity at the termination of war for selfish or for unselfish purposes. The motive has nothing to do with the power. We may take it solely with reference to our own interests. We may take it for the purpose of completely separating inhabitants from a tyrannical power. We may take it for the purpose of giving them what otherwise they could not attain—good government and civil liberty. And certainly the power to take inhabited territory involves the power to govern the inhabitants. The idea that we can take a cession of an inhabited territory, but cannot govern it without consulting the people; that those who inhabit it have the right to govern it, independent of us, is a proposition that refutes itself.

We have acquired much territory, sometimes by treaty of purchase, sometimes as indemnity at the end of a war. I hope we will never have occasion to acquire any again in the latter way; but if occasion shall arise, Mr. President, I doubt not we shall do it, as we acquired the Philippines, not for the purposes of tyranny, not to enable us to exercise mere sovereignty and power, but for a purpose as lofty as that which inspired the men who drafted and adopted the Declaration of Independence.

Mr. President, I do not think it singular, perhaps, that with my intellectual limitations I am not able to see through some of the propositions which are made in this debate and which have been made in other debates upon this subject. It is said that we are engaged in "crushing out" the "only republic in Asia." Is that true, Mr. President? Of course, if we are crushing out a republic in Asia, there must have been a republic in Asia to crush out. Confessedly, if there was a republic in Asia, it was what was called the "Philippine republic." Was there a Philippine republic? If there ever was, it was when we ratified the treaty. If there was a Philippine republic, we ought not to have ratified the treaty and taken that cession.

If inhabitants in the Philippine Islands, a cohesive, organized people) a political entity, had taken, in a struggle for independence, possession of the Philippine archipelago and had expelled the power of Spain and erected there a government—republic or otherwise—fit to be recognized by nations as an independent government, we should never have accepted a cession of the Philippine Archipelago, because Spain, on that hypothesis, would have lost all title to it, and upon general principles of law and liberty the Philippine republic, which we are engaged in "crushing," would have succeed-

ed to the powers of government and to the ownership of the lands. All we could have done then in the interest of liberty as to the Philippines would have been to ask of Spain that she relinquish, not as in case of Cuba generally, but to the Philippine republic, her title and sovereignty over the Philippine Archipelago—a quitclaim to perfect the title—and we should have then, I presume, not have taken the city of Manila. Such a demand would have been regarded by Spain as absurd.

But, Mr. President, no Senator in this body thought there was then a "Philippine republic;" no Senator in this body could have brought himself—unless it be the Senator from Massachusetts (Mr. Hoar)—to recognize a "Philippine republic" as a government, erected out of a struggle for independence, based upon the consent of the people, capable of discharging the domestic duties of a government, of protecting life and liberty and property and capable of discharging the international obligations which it might assume as a government. Was there any such?

Who moved to strike the cession of the Philippines from the treaty? No one.

The Vest amendment and the Bacon resolution were based not only upon the hypothesis, as I will show, that there was no such republic or government, but upon the further assumption that the inhabitants were not fit to form one without external aid. The Vest amendment proposed to strike out the cession of the Philippines to the United States and insert in lieu thereof a relinquishment of all claim of sovereignty over and title to the Philippine Archipelago, and to insert in the treaty these words:

The United States, desiring that the people of the archipelago shall be enabled to establish a form of free government suitable to their condition and securing the rights of life, liberty and property and the preservation of order and equal rights therein, assumes for the time being and to the end aforesaid the control of the archipelago so far as such control shall be needful for the purposes above stated, and will provide that the privileges accorded to Spain by articles IV and V of this treaty shall be enjoyed.

Senators have for years reiterated the statement that if this amendment had been adopted we would have had no trouble in the Philippines. How does this amendment harmonize with the notion so constantly spread among the people by orators that there had been, as the culmination of a struggle for independence, a republic created before the ratification of the treaty, entitled as much, I think I have heard it said, to be recognized as were the colonies when they declared their independence? How does it harmonize with the proposition, so often made then and now, that the inhabitants of the archipelago had and have a right, fit or unfit, to establish a government which they wish and which they think adapted to their condition? Note the Vest amendment: "The United States, desiring that the people of the archipelago shall be enabled to establish a form of free government"—How does this language consist with the notion that they already had established one?—"suitable to their condition"—Who was to decide? The United States, of course—"and securing the rights of life, liberty and property and the preservation of order and equal rights therein"—And to bring this about we were to contract with Spain to—"assume for the time being

and to the end aforesaid the control of the archipelago so far as such control shall be needful for the purposes above stated," etc.

It must be borne in mind that we were not in possession of the Philippine Archipelago at the time of the vote upon the treaty except at Manila. How would we have obtained control? What would Aguinaldo and his Philippine republic have said when we attempted with our troops to "assume control" of the Philippine Archipelago? Is it sane to suppose that Aguinaldo, who had already attacked us, who had proclaimed to the world a republic with a constitution and a congress, who had gathered an army, who had representatives abroad, including one at Washington, whose jealousy and suspicion and hostility had been so many times evidenced, would, on the basis of the Vest amendment, have quietly abdicated and permitted us to distribute our troops throughout the archipelago for the purpose of control and enabling the people to establish a government in accordance with the standard of the Vest amendment, and which would safeguard our contract with Spain as to commerce with the Philippines?

Is it possible to believe that Aguinaldo (and his associates), puffed with a sense of power and with oriental vanity, who turned a deaf ear to all the sincere and generous promises of President McKinley, who wrought by every means, fair and foul, in the power of a dictator to deter vast numbers of his people from accepting the terms offered by the first Commission, would have tolerated for a moment an attempt to take control of the archipelago under the terms of the Vest amendment? They would have said to us: "What are you here for?" We should have replied: "We are here to enable you people to establish a form of free government 'which we think suitable to your condition and securing the rights of life, liberty and property, and the preservation of order,' " etc. They would have answered: "We have a government, which we proclaimed long ago to the world, with a constitution, a congress, an army, provincial and municipal organizations enforcing peace, protecting property and securing life, and this government suits us." They would have asked us: "Do you claim title and sovereignty over the archipelago?" Our answer must have been: "No; we refused that." Then would have come the quick question: "By what right, then, are you here?" And our answer must have been: "Under a contract with Spain substantially similar in language as that which we made as to Cuba."

To say that he would have met us with insult, defiance, and armed resistance in such a situation defies belief. And instead of being there as we are now, with a title which the Supreme Court of the United States says is complete, which the Senate accepted as complete, which the Congress paid for as complete, which the world recognizes as complete, which gives us the power to do there what is just and right, generous and uplifting, we should have been there upon the weak foundation of contract with a former tyrant.

In the event of their defiance, could we have turned our guns against them and by force of arms have taken control of the archipelago wherever resisted? I thank God that we were saved from such unutterable folly. We would have been in a position infinitely worse than the proposition—to which I never could give my consent—would have placed us in Cuba, if before we sent our soldiers there we had recognized a govern-

ment, subordinating our military operations to it, subject to its orders, and liable any day to a situation which would have been distressing in its weakness and results.

Senators who can see no difference between Cuba in her relation to this subject and the Philippines seem to me, if I may say so without offense, to be afflicted by some sort of mental strabismus. Cuba is a little island, almost in sight of us, inhabited by about 1,600,000 people, deducting those slain by the infamous reconcentrado policy of Weyler. A large number of people in Cuba had been educated in the United States. There were American citizens in Cuba who for years had carried on business there. The Cubans took note of what we did and of our methods. The island lay in the shadow of this greatest of republics, which for all the years since it was created had been an object lesson in liberty and good government to the Cuban people.

We had gone to war to free Cuba, and, above all things else marking the difference between the situation of Cuba and the Philippines when the war with Spain was suspended by the protocol, with relinquishment by Spain of sovereignty and title over Cuba, she surrendered possession of Cuba to the United States, and when we ratified the treaty we were in possession of every foot of Cuban territory and might well agree to discharge the duties imposed by international law upon a military occupant, to continue to occupy it, and as a military occupant to observe the obligations imposed by international law, the duty of protecting life, liberty, and property. There was a homogeneous people in Cuba, not in our lofty sense, but measured by a fair standard, having reference to their antecedents and their condition.

But as to the Philippines, with 10,000,000 of inhabitants of different races and tribes and grades of civilization, strangers to us, 7,000 miles away, we were in possession only of the city of Manila. Added to this want of possession and the other conditions to which I have adverted, and the difference of the situation between Cuba and the Philippines would seem to be very obvious.

But we have been and are upbraided for not having, after the ratification of the treaty, adopted the Bacon resolution, which was as follows:

That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands and assert their determination, when a stable and independent government shall have been erected therein, entitled, in the judgment of the government of the United States, to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

This resolution, Mr. President, for which many Senators voted, is also utterly inconsistent with the notion that there was a Philippine republic capable of discharging the duties of a government. Not only that, but it is utterly inconsistent with the idea that Senators who voted for it thought the people there could establish without our assistance a stable and independent government. Not only that, but it is utterly inconsistent with the idea that under the Declaration of Independence they had a God-given right, whether fit or unfit, to frame such government as they saw fit.

I did not vote for it. It was voted for by some Senators, who ever since and before that day had declared there was a government in the Philippines, a government that suited the people there, a government that

the people had created, a government as far advanced as the colonies were when we secured our independence. The propositions put side by side, like Kilkenny cats, eat each other up. If any declaration was to be made or ought to have been made at that time, it was that declaration, but it could only be made based upon an acceptance of the cession, sovereignty, and title by the United States to the Philippine Archipelago.

Mr. Hoar—That was after the treaty.

Mr. Spooner—It was pending before the treaty was adopted.

Mr. Hoar—That is another thing. It was voted for after the treaty.

Mr. Spooner—My proposition is this: I was comparing that with the proposition that we should have made the same arrangement in the treaty as to the Philippines that we made as to Cuba. I say if anything was to be done different from what was done it was not to put this government in the foolish and impossible attitude in its relation to the Philippines that was proper and reasonable and sane it should occupy as to Cuba. But it was to accept this cession, and then, clothed with power and sovereignty, declare what you would do if we were to declare anything upon the subject.

But I thought, and a great many entirely patriotic and reasonably liberty loving members of the Senate thought so, too, that in that exigency we ought not to make any declaration or project into the future any wide promise, but that we ought, having title and sovereignty, to go forward, feeling our way, never forgetting for one instant the Declaration of Independence or the ideals of the American people, to carry to that people over there liberty, law, order, education, peace, prosperity.

Mr. President, was there a nation in the Philippines? Could there have been a nation in the Philippines? What did the distinguished Senator from Massachusetts (Mr. Hoar), for whom I cannot attempt to express my reverence and admiration—I know of no man who could have made a speech of such eloquence as that which he uttered in the presence of the Senate and of the American people the other day upon this subject—mean in speaking of a people, not tribes scattered here and there through a great territory, but a people living in the Philippines? I know he must have intended to be understood as asserting that there was a living, homogeneous people there capable of initiative, capable of organization—

Mr. Hoar—If the Senator will permit me, I mean exactly what I suppose General MacArthur meant when he said when he first went to the Philippine Islands that he thought Aguinaldo did not represent the people, but that now he had become satisfied that Aguinaldo represented his people. That is the meaning in which I used the term.

Mr. Spooner—Oh, well, if the Senator's authority for using the term "a living people" as distinguished from tribes is General MacArthur—

Mr. Hoar—I did not say my authority was General MacArthur. I put an illustration to let the Senator understand what I meant, using the phrase of an eminent and intelligent authority who had been there.

Mr. Spooner—The Senator, then, means to be understood as saying that there was a nation in the Philippines created by a people of the Philippines?

Mr. Hoar—I like the phrase "the people" because that is the phrase of the Declaration of Independence. There was not a nation in the United States when independence took effect. There were thirteen states.

Mr. Spooner—Colonies.

Mr. Hoar—Thirteen States when independence took effect—

Mr. Spooner—Yes.

Mr. Hoar—Without any common government, but they were one people.

Mr. Spooner—That is true, and, in my judgment, there can be no better illustration furnished by any man in this day or in the long reach of time of the distinction between a people as the word is used in the Declaration of Independence and the conglomeration called a people in the Philippine Islands.

Mr. Hoar—The Senator appeals to me, and I yield to the temptation; and as soon as I get on my feet I am ashamed of having done it, because I do not think the Senate or the audience, whoever they are, want the Senator's brilliant and powerful speech interrupted by getting into discussions with other Senators, and I am ashamed of myself for having done it. But as I am on my feet, I will say that they had their 1,200 islands, and what there were on them I do not say. There were people there who have never heard of the United States up to this day. They had men by the millions, all acting together, who had raised an army, who welcomed a general, who had turned Spain out of that territory, except the City of Manila, who had invested the Spanish troops there from water to water, who had agreed upon a constitution, republican in form, and who had order, peace, quiet; who had local municipal governments all through a large territory, occupied by at least six or seven million people, with men in every town or neighborhood able to conduct its affairs in order and in peace; and that is a people.

Mr. Spooner—That would be a people if it were true.

Mr. Hoar—I wish to say again that I beg the Senator's pardon for interrupting him.

Mr. Spooner—The Senator need never beg my pardon for anything. It is granted in advance—always. That would be a people if that were true.

Mr. Hoar—It is true.

Mr. Spooner—I deny that, except superficially, there is any truth in it.

Mr. Dietrich—Mr. President—

The Presiding Officer—Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. Spooner—I am very anxious to proceed, but I will yield.

Mr. Dietrich—General MacArthur and other prominent witnesses stated that Aguinaldo represented only what he termed by his people the Tagalos, and they were divided.

Mr. Hoar—I am stating MacArthur's report.

Mr. Dietrich—And also that at Malolos, where the constitution was adopted, there were no representatives from any other island or any other people except the Tagalos, and the men who were there were named by Aguinaldo, and none were chosen by any of the people of the other islands.

Mr. Spooner—In the Philippines it is said there was a people. Of course there must be a people to establish a government. There is not much distinction, so far as I can find, in the sense in which that phrase is used in this connection between a people and a nation. It takes more than land and inhabitants to constitute a people in the sense in which internationally or from the standpoint from which we use it that word has significance. To say that there was a people in the Philippines in the sense that we were a people when our independence of Great Britain was declared finds support, in my judg-

ment, neither in reason nor in any authority on government or law. Aside from other things, submitted facts render it philosophically impossible that there should have been in the Philippine Archipelago a people in the sense in which the distinguished Senator from Massachusetts uses that phrase and in the sense in which the Declaration of Independence uses it.

I take from the masterful speech of the Senator from Ohio (Mr. Foraker) this quotation from the report of the Schurman Commission, to save time, as to what were and are the elements constituting the population of this archipelago. The Senator from Massachusetts (Mr. Hoar) admits that scattered tribes do not constitute a people. The Declaration of Independence did not apply to the Indians. They were great nations, sub modo, it is true. They occupied the land in which they were born. Mr. Jefferson, in his message to Congress in 1805, spoke of them as lovers of liberty and lovers of independence. They had governments suited to their wishes. They had a liberty which was satisfactory to them. They were not peoples, however.

What is this aggregation in the Philippines? There are 84 different tribes, three different races, all set out long ago by the junior Senator from Massachusetts (Mr. Lodge) in one of the two brilliant and searching speeches which he has made upon the subject; and I want to pay here in public to the junior Senator from Massachusetts the tribute of my respect and admiration for the eloquence, labor and constructive genius which he has brought to the work for the Philippines in which this nation is involved. The Senator from Ohio said:

I find there are 21 tribes of Negritos, 16 tribes of Indonesians, and 47 tribes of Malays. There are no two tribes in the whole archipelago who speak the same language and have the same civilization or have the same kind of domestic order or domestic institutions, or who have really any positive affiliation with each other except subject to some kind of material modifications.

A comparatively small portion educated in the Spanish language, and with no common language.

There are 2,601,600 Visayans, the traditional enemies of the Tagalos; men who have refused to be governed by the Tagalos; and I notice that Aguinaldo in the order which he gave to his officer in the Visayas—for whatever government he had in the Visayan Islands he secured at the muzzle of the guns, and not by the consent of the people—for the attack upon Iloilo cautioned him to be careful, very careful, lest civil war break out in the Visayas. He meant lest they resist the armed domination of the Tagalos.

The important tribes are the Visayans, numbering 2,601,600; the Tagalos, numbering 1,663,900; the Bicolos, numbering 518,100; the Ilocanos, numbering 441,700; the Pangasinans, numbering 363,500; the Pampangas, numbering 337,000; the Moros, numbering 268,000, and the Cagayans, numbering 166,300.

No two tribes understanding each other, a population varying from civilization to barbarism, with different degrees of it in the different tribes, a population who had had comparatively no schools except the school of Spanish tyranny, who never had been instructed in organization, whose activities, so far as they had any, were entirely provincial or municipal, who never had made a struggle organized and united as a people in the islands, even for reform,

for their insurrections were sporadic and they were never organic—that is to say, participated in by the inhabitants of the islands.

Mr. Foraker. Mr. President—

The presiding officer. Does the Senator from Wisconsin yield?

Mr. Spooner—Certainly.

Mr. Foraker—I do not want to interrupt the Senator, but I should like at this point to read him what I find in the Washington Post of February 5, 1899, to which I was kindly referred by the Senator from Colorado when he was last on the floor. It fits in here, I think, very properly.

**AGUINALDO'S CLAIM—NOW ASSERTS JURISDICTION OVER THE ENTIRE PHILIPPINE GROUP.**

Aguinaldo has broadened his claims, or at least his agent here, Agoncillo, has done it for him. In another one of the series of communications which he has addressed to the State Department, Aguinaldo asserts his jurisdiction to all of the Philippine group.

This is a notable extension, as heretofore there was nothing to show that he spoke for anything more than the Tagals, and even though there may have been an intimation that the Visayas, or central group, was part of the Philippine confederation, this is certainly the first time that any suggestion has been made touching the Sulu Archipelago.

I hope I have not interrupted the Senator in putting that fact into his speech.

Mr. Spooner—Not at all.

I have always supposed, apparently I am mistaken about it, that distinguished and intelligent Americans charged with the duty over there, not over here, of investigating conditions in the Philippines, of studying the Philippine inhabitants, of endeavoring to ascertain and report for the guidance of the Government which sent them there, and having taken the time to discharge that duty as far as it was possible, would be entitled to some credit for accurate information upon the subject. But with the minority they are not.

The testimony of men who know the Philippine Archipelago, who have spent years there, who studied the inhabitants in time of peace, all goes for nothing, but this bubble of a living, cohesive, initiating people fit to give consent to a government, and able to organize one, is built up, so far as I know, upon this quotation from General MacArthur and upon the statement of the two naval officers who wandered on an auspicious occasion through a portion of the islands.

To-day President Schurman coincides with some distinguished gentlemen as to what ought to be done in the Philippine Archipelago. I have admiration for him. I lose none of it because he changes his mind. Every man has a right to do that, and every man ought to do that if he thinks it is right to do it. But I think he knew as much about the Filipino population when he came back to report the investigations of his Commission over there as he does now. I think that he and his associates know as much as the two young naval officers did who traveled through a portion of the Philippine Archipelago.

Mr. Lodge—For three weeks.

Mr. Spooner—For three weeks. There is a side light on that trip, too. They were not permitted to see anything except what the Filipino general wanted them to see, or to gain any impression based upon fact except what he wanted them to gain.

Now, this is what is said further by the Commission:

The most striking and perhaps the most significant fact in the entire situation is the multiplicity of tribes inhabiting the

archipelago, the diversity of their languages (which are mutually unintelligible)—

Governor Taft testifies to the same thing, and everybody else who knows anything about it from actual observation.

and the multifarious phases of civilization—ranging all the way from the highest to the lowest—exhibited by the natives of the several provinces and islands. In spite of the general use of the Spanish language by the educated classes and the considerable similarity of economic and social conditions prevalent in Luzon and the Visayan Islands, the masses of the people are without a common speech and they lack the sentiment of nationality.

The Filipinos are not a nation, and there can be no "political being that we call a people," one people, in the language of the Declaration of Independence, which lacks the sentiment of nationality and which is not capable, by acquirement and characteristics, of cohesion, power for organization, and conception of right and law and order equal to the formation of a nation, which can be called a people in the sense in which that language is used.

The Filipinos are not a nation, but a variegated assemblage of different tribes and peoples, and their loyalty is still of the tribal type.

I do not suppose they have changed greatly since the Schurman report was written.

Colquhoun, who knows the Orient and has studied well the Malay and the Filipino, in his work, "The Mastery of the Pacific," says:

Other deficiencies in their mental and moral equipment are a lack of organizing power. No Malay nation has ever emerged from the hordes of that race which have spread over the islands of the Pacific. Wherever they are found they have certain marked characteristics, and of these the most remarkable is their lack of that spirit which goes to form a homogeneous people, to weld them together. The Malay is always a provincial; more, he rarely rises outside the interests of his own town or village.

And with this limitation he recognizes many good qualities.

Of course Aguinaldo had an army of 30,000 people, armed partly by the United States. Was that an army of a Philippine people? Was that an army that represented the Visayans? Was that an army that represented the Macabebes? Was that an army that represented the different tribes there at the outset? It was an army of Tagals and bandits, or ladrones who have infested the mountains in the archipelago.

Mr. Hoar—May I ask the Senator did not our general commit 4,000 Spanish prisoners to their care?

Mr. Spooner—Yes. He did that because he could not take care of them himself. He did not turn them over—

Mr. Carmack—Mr. President—

The presiding officer (Mr. Gallinger in the chair)—Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. Spooner—Certainly.

Mr. Carmack—Do I understand the Senator to say that because he could not take care of the prisoners himself he turned them over to robbers and outlaws?

Mr. Spooner—I do not say they were all robbers or outlaws.

Mr. Carmack—You said it was an army of ladrones.

Mr. Spooner—I said there were ladrones and bandits in the army, and that it was not an army representative of a Philippine people, such a people as we are told here were a living, organized people, capable of creating and maintaining a government.

Mr. Carmack—Mr. President—

The presiding officer—Does the Senator yield?

Mr. Spooner—Certainly.

Mr. Carmack—I simply want to understand the Senator. He says there are ladrones and outlaws in the army. Of course there may be bad men—outlaws—in every army.

Mr. Spooner—Yes.

Mr. Carmack—Do I understand the Senator to mean that the Philippine army organized there and co-operating with the American forces were largely or to any considerable extent composed of mere outlaws and robbers and bandits?

Mr. Spooner—I do not know to what extent; neither does the Senator.

Mr. Carmack—Mr. President—

Mr. Spooner—But being a Philippine army, from the Senator's standpoint, it must have been composed of livery-loving, patriotic, law-abiding citizens.

Mr. Carmack—Being an army organized with the co-operation of Admiral Dewey and in co-operation with the American forces, I assume that it was not an army of outlaws and cutthroats and ruffians.

Mr. Spooner—One of its leading generals had been for a great many years the leader of bands of cut throats and ruffians.

Mr. Carmack—Whom?

Mr. Spooner—Pinar del Pilar. Nobody denied that. I know it will be denied now; at least, I suppose so.

Mr. Carmack—The Senator from Wisconsin, of course, is the only prophet in the chamber.

Mr. Spooner—Oh, no; I am not.

Mr. Carmack—He always knows what a Senator is going to say before he says it.

Mr. Spooner—No; I beg the Senator's pardon.

Mr. Carmack—And he very seldom knows himself what he has said after he has said it.

The point to which I wish to direct the attention of the Senator was this: Admiral Dewey and other American representatives sought the aid and co-operation of Aguinaldo and his associates, and if it be true that by their help they organized an army of cutthroats and bandits and ruffians, then Admiral Dewey is guilty of violating the rules of civilized warfare, and instead of being acclaimed as a hero he ought to be branded and court martialed and turned out of the navy, if the charge made by the Senator from Wisconsin is a true one.

Mr. Spooner—Mr. President, that adds only one more to the horrible suggestions about Admiral Dewey's conduct which I have heard made in this chamber before the Senator took a seat here. It was an army which sought the right to enter Manila to loot it. It was an army which, represented by a commission, insisted upon the right to enter Manila for loot and violence and rapine.

The commander of that army, when informed in writing by General Otis that the rules of warfare recognized by the American people precluded loot, was not satisfied with it. It was an army which afterwards violated habitually the rules of civilized warfare. It was an army, Mr. President, which perpetrated—and some of them were referred to by the Senator from Massachusetts (Mr. Lodge)—unparalleled atrocities not only upon American prisoners who fell into their hands, but upon countless thousands of their own people. It was an army which respected neither sex. It was an army whose rule came to be confiscation and ambush.

When Senators in the light of to-day talk about the crowd which swiftly came around Aguinaldo as "an army of a Filipino peo-

ple," friendly to the Americans from the beginning, I deny it.

Recurring to Pinar del Pilar, one of the strongest characters in point of ability, and one of the most desperate in point of savagery in the islands, who was made a general—Governor Taft refers to him as a cattle thief before the insurrection. Perhaps vitalized by the spirit of liberty, suddenly seized with a desire for independence, he wended his way to the side of Aguinaldo, and left his associate cattle thieves all behind him. I have not supposed so. If I am mistaken, Senators who know all the facts on the oriental side of this matter, and who ignore most of the facts upon this side, will undoubtedly inform the country of it later. Nor was he by any means the only military official known to have been "irregular in his habits," in this respect.

Now, the idea—and that is all I care for and what I was intending to speak about—that this collection of miscellaneous tribes described by the Commission, who had been for 300 years, under the tyranny of Spain, a cowed, distressed and oppressed people, could have, between the arrival of Aguinaldo and the short eight months which followed, been welded into a homogeneous people, a people in the sense of the Declaration of Independence, that could organize a government and maintain it, is a philosophical impossibility. That is all there is about that, in my judgment.

What sort of a "government" did Aguinaldo organize? Was it a government based, as seems to be here asserted, upon the consent of the tribes over whom he extended it? Not at all.

It has been said, and it was said by that Commission, and it is abundantly—aye, overwhelmingly—established, that there was no trouble in those islands, that there was no resistance to American authority, except where Aguinaldo had sent his armed Tagalos.

Throughout the archipelago at large there was trouble only at those points to which armed Tagalos had been sent in considerable numbers. In general, such machinery of "government" as existed served only for plundering the people under the pretext of levying "war contributions," while many of the insurgent officials were rapidly accumulating wealth. The administration of justice was paralyzed, and crime of all sorts was rampant. Might was the only law. Never in the worst days of Spanish misrule—

This is Mr. Schurman and his associate commissioners speaking of this "government," representing the Filipino people, established by their consent and with their co-operation, having a constitution, having an army, having pictures and colleges, and music and science and art and literature.

Never in the worst days of Spanish misrule had the people been so overtaxed or so badly governed. In many provinces there was absolute anarchy, and from all sides came petitions for protection and help, which we were unable to give.

The committee has printed the captured diary of an officer who was a comrade of Aguinaldo in his flight, to the time he was captured, which shows how little appreciation Aguinaldo had of government and the responsibility of a high official to a people.

Mr. Lodge—Simeon A. Villa.

Mr. Spooner—Simeon A. Villa, a member of his staff. He had been with him in all his peregrinations up to the date on which he was captured. He was his friend, his associate, his comrade. He says: "On a moonlight night the honorable president"—The honorable president is Aguinaldo.

Mr. Lodge—Yes.

Mr. Spooner—President of what? He had a government, Mr. President, of proclamations, of confiscations and assassinations, and all the evidence shows it.

"On a moonlight night the honorable president"—Aguinaldo—"Sytiar, Jeciel, B. and V., the two Layba sisters, and the honorable president's sister were discussing the matter. And once the independence of the country is declared we will take a trip to Europe, with an allowance of a million dollars to pay our expenses."

Here is an interesting document fairly illustrative of the kind of a republic, a "government founded upon the consent of the governed" and appreciative of the rights of the governed this was. This was to the secretary of war, Aguinaldo's brother. It is a proposition for a concentration camp:

Philippine Republic,  
Office of the Military Governor,  
Malolos, February 17, 1899.  
(Private.)

Senor Secretary of War:

Referring to your note in regard to an unhealthy town or place in the Province of Nueva Ecija fit for the concentration of the friars, except the town of Bongabong, there is no good place in the province of Tarlac except the town of La Paz; but, according to my observation, even the persons born there are attacked by malarial fever and ague, and if they are strangers very few will escape death. Your always faithful subordinate,  
ISIDORO TORRES.

I read in a Manila paper a description of a procession of friars marched under guard by these lovers of liberty out of Manila to this place of disease and death.

Here is something else from this diary:

After supper, which was at 6 o'clock, the honorable president, in a conversation with B. V., and Lieutenant Carasco—

This is from the other side; it is from a friend and companion—

told them that as soon as the independence of our country was declared he would give each one of them an amount of land equal to what he himself will take for the future of his own family, that is, he will give each one of the three senores 13,500 acres of land as a recompense for their work; and also that these plantations will be located adjoining one another in such a manner that they will lie in the same province.

He did not say anything there about patents of nobility, but of course they would have come in season.

As I have said, Mr. President, he sent 1,500 armed Tagalos into Visaya to bring that unarmed people to acknowledge his government. Here is a captured official paper of one of his presidentes from over there: "Receipt from records of insurgent president, town of Navotas." This was a municipality where law was enforced and taxes were levied and people were protected.

Received of Robert Francisco the sum of five pesos to save his uncle from being hanged.  
MAGINGAT.

January 24, 1900.

Mr. Allison—Five dollars in Spanish.

Mr. Spooner—Five dollars in Spanish.

Colquhoun, who is a disinterested witness, says of this government:

Between the collapse of Spanish sovereignty in the islands and the establishment of the United States in its stead (in December) there was a deplorable hiatus, due, no doubt, to the fact that the United States had not contemplated such a move, but were, as one of their generals put it, literally "pitchforked into the Philippines." During this interregnum chaos was supreme. Small republics were formed which exceeded the Spanish Government in ineptitude and corruption. Robber bands were let loose, and the whole country was in confusion. When it became apparent, however, that the United States had no intention of leaving the islands to work out their own salvation, a new phase began. The insurrecto leaders, hav-

ing pledged themselves to independence, organized resistance to the United States, inflaming the people by declaring that the Americans were going to bring back the friars. Color was given to this by the fact that they could not see their way to a wholesale confiscation of church lands, and, while incurring the displeasure of the Filipinos by protecting the friars to a certain extent, they had all the weight of the latter against them, for the priests felt that the return of Spain was the one hope of retaining their position.

I have here among these papers the most frantic appeals of Aguinaldo begging the Filipinos to withhold any welcome to the officers of the Commission, begging them, as he says in one of the appeals—I will not take the time to read it—on bended knee not to accept any proffer of autonomy from the American government.

He was not content with that, Mr. President. He issued an order, signed with his own hand, in order to prevent the inhabitants from repudiating his government of force and violence, in order to deter them all through the archipelago from accepting the protection, the peace, the care of the government of the United States by which he put every man in the islands in the Katipunan. Up to that time those only had joined it who desired to join it or were forced as individuals to join it. There never has been in my reading such an oath as that of this society—never. I put it in the Record the last time I had occasion to address the Senate on this subject. It required a man to give himself soul and body to the Katipunan to do its bidding, to give his life when it was demanded, to give his property when demanded, and to kill his father, mother, brother, sister, wife or children upon its demand.

More than that, Mr. President, it was part of the oath that if he did not obey the command of the Katipunan, he should forfeit his life, not to be taken upon a trial, not to be taken under the judgment of any court, but to be taken by the swift execution of the decree of this oath-bound association of tyrants. Not only that, but the lives of his family should pay the forfeit if he failed to stand practically by this alleged government of Aguinaldo; this government self-proclaimed; this government of force and violence; this government which had no regard for the consent or the rights of the people; this government whose sole existence was one of blood, and whose career was one of tyranny, which the testimony shows made the tyranny of Spain in comparison a paradise. To prevent these people whom it is said General MacArthur thought were behind Aguinaldo from espousing our cause and to bind them to him, not by kindness, not by justice, not because of their consent, not by the tie of good government and protection, but to hold them to him by the iron hand of the Katipunan he issued this order, which I cannot at this moment find, by which he made every man in the archipelago, whether he would or not, a member of the Katipunan, bound by its oath, and subject to its punishments.

Mr. President, Senators may talk about the depopulation of districts, may figure up the number of Filipinos who have been destroyed, but do not charge that to atrocity and cruelty upon the part of the American Army, except so far as war goes, and exceptional cases where bad men, forgetting the flag and the honor of the Army, have done cruel and wicked things—do not leave out the silent,

ghastly, diabolical judgments and executions of the Katipunan.

When the first commission went there this alleged congress voted to accept autonomy, and but for Mabini and the war leaders who were playing for a high stake—to govern the people through an oligarchy, to govern them regardless of their consent, to govern them for their own purposes and uses, so that they could have “a million dollars to pay the expenses of a trip to Europe,” it would have been accepted.

Talk about a people and a republic in Asia upon which we are making war and which we are destroying! There is no republic in Asia. There never has been a republic in Asia, but I hope, in God's providence, there will be some day a republic in Asia, and to that end we are moving along on the line of liberty, pacification, and construction, first, however, peace.

Here is the Katipunan order to which I referred, and I will put the pertinent part of it in the Record. This is signed by Aguinaldo on the 15th of July, 1898, when, as we are told, he was the representative of the whole people and the object of their love and confidence.

EMILIO AGUINALDO.

July 15, 1898.

To the Katipunan.

My Dear Brothers and Old Companions:

\* \* \* \* \*

All Filipinos must understand that they are now included in the Katipunan whether they want to be or not, and hence it is the duty of all to contribute life and property to the arduous enterprise of freeing the people, and he who disobeys must stand ready to receive the corresponding punishment. We cannot free ourselves unless we move forward united in a single desire and you must understand that I shall severely punish the man who causes discord and dispute.

EMILIO AGUINALDO.

Cavite, July 15, 1898.

I said a little while ago that, in my judgment, it has been the greatest misfortune that there has been any division among us. I think it was the unhappiest thing that on January 9, the same day that Aguinaldo issued his elaborate order for an attack upon Manila, the same day that he treacherously sent, with that order being circulated among his people, a commission to Otis to negotiate peace, Mr. Bryan, one of the brilliant men of the country, against whom I have no wish to utter a word, a man of high character and remarkable powers in many ways, published in the New York Journal an interview addressed to the Senate, urging the ratification of the treaty and the making of an issue at once after its ratification between imperialism and independence.

There was no such issue. There had been no proposition in the Congress to hold that people in colonialism; there had been no proposition to treat that people in any other way than we would treat Cuba; there was no reason for that impeachment of the people; there was no reason to suppose that the people who went to war for liberty in Cuba would be any other than generous and true to their ideals in the Orient; and yet it became a party issue, and those people in revolt were given, day after day, for months, to understand that the success of Democracy meant their independence, and they appealed to their troops—albeit their army had been disbanded and were shooting our men from ambush—not to attack them in the open, not to meet them in fair fight, but to shoot them down in “uninhabited and desolate places,” using the language of the order, and

to keep it up until the election should come off. Ah, Senators cannot charge to the ratification of the treaty, nor to the sending of the Army over there, all the bloodshed and cruelty which came to the Philippine Archipelago.

Here is a copy of the instructions issued by Aguinaldo to Sandico under date August 10, 1898, two days before the protocol, as I recollect it:

Revolutionary Government of the Philippines,  
Office of the President.  
Instructions for Senor Sandico.

First. To arrange so that all the Filipino subjects residing in Hongkong act in unity. To look for the best means to persuade those who have contrary opinions and induce them to co-operate in the policy of the government, or at least not to oppose it by imprudent behavior, which would be to our discredit with the powers.

Mr. Lodge—If the senator will excuse me, did I understand him to say that they were subjects or citizens of the republic?

Mr. Spooner—Subjects; they were the subjects of a tyranny, an oligarchy founded upon force, and exercising nothing but force and violence.

The second paragraph I shall not read.

Third. The policy of the government is as follows:

1. To struggle for the independence of “Filipinas” as far as our strength and our means will permit. Protection or annexation will be acceptable only when it can be clearly seen that the recognition of our independence either by force of arms or diplomacy, is impossible.

2. The Filipino government and its representatives will attempt as far as possible to be on good terms with the Government at Washington, entreating the recognition of the Filipino government under pretext that such recognition constitutes a sine qua non before any terms of agreement between the United States and “Filipinas.”

This is signed “E. Aguinaldo” and dated Bacoor, August 10, 1898.

Mr. Hoar—Who translated that?

Mr. Spooner—This was translated by Captain Taylor, I suppose. I did not translate it. I could not. I suppose it is correctly translated. I am in the habit of believing that officers of the Army are honorable gentlemen, and that they would not be willing, either by accident or otherwise, that a paper should come translated by them incorrectly.

Mr. Hoar—The suggestion I meant to make by my inquiry was this: When you are depending on niceties of expression, as in the case of a distinction between “subjects” and “citizens,” or a distinction between two things which are generally alike, as “pretext,” or “pretense,” or “claim,” it is pretty important that you know whether the original phrase which is translated had precisely that shade of meaning. I do not in the least question the integrity of the translator.

Mr. Spooner—There is no question about this part of it anyhow, and no reason to think there is about the other.

Protection or annexation will be acceptable only when it can be clearly seen that the recognition of our independence, either by force of arms or diplomacy, is impossible.

Mr. Hoar—I think that is very much what the Senator from Wisconsin would have said, speaking for his people under like circumstances.

Mr. Spooner—I have heard it said that there is no Senator here who would not have done just what Aguinaldo did when he attacked our Army. Now, speaking for myself, I would not have done that, and no other man who was not bent upon a fight; no man of intelligence, fit to be at the head of a gov-

ernment would have done it, in my judgment.

He would have at least waited, with an agent here and the word President McKinley had sent over there, until the Senate could have voted, in two or three days, upon the Vest amendment and the Bacon amendment.

By the way, the Senator from Massachusetts did not accurately, two or three times in his speech, quote the McEnery resolution. He quoted it as if it referred only to the “interest of the United States.” That is not all it says. It added, “and the interest of the inhabitants of said islands.” That omission may not be material, but with those words in it reads more kindly—it reads more like an American document. I merely call the Senator's attention to that.

So, Mr. President, I say again that it was a miserable thing that in that day and later there went to the Filipinos from the United States, with our Army over there, words of encouragement to the Filipinos, denouncing us as having unconstitutionally bought sovereignty, as violating the Declaration of Independence; that we were there to enslave them, not to give them liberty, all a false political issue. They might as well have been told: “You fight our men and hold out until after the election and if we win you will get independence under a protectorate.” It prolonged the war. It vastly embarrassed the operations of the government. It made difficult, and it will do so hereafter, to carry forward as speedily as we wished to do to the earliest possible fruition the blessings which we wished to confer and will confer upon that people.

I say “will confer” because, Senators, the American people will not run away from that duty. They never run away from any duty. They indorsed at the polls, long after our action upon the treaty, after we had sent our Army into the Philippines, when they knew it meant war and trouble and division at home the attitude of the Republican party and of the brave and chivalrous Democrats who joined in our action, and they re-elected McKinley President of the United States. They have no idea, Mr. President, in my judgment, of turning back.

The Senator from Massachusetts has had a great deal to say about the Declaration of Independence. He reveres it, as I wish I could make him believe I do, for I wish his good opinion. But he wants the Declaration of Independence as he reads it, and I want it as I read it. Neither of us means to be false to it. It will bring no “blush of shame” to my cheeks to read it publicly again as I used to sometimes on Independence Day, and that is not because I have lost conscience or love of liberty.

The Declaration of Independence, like other documents—and I refer here to it only for a moment, Mr. President, because I must hurry along—must be read as a whole to be rightly interpreted. There is nothing more dangerous than a maxim misapplied.

When in the course of human events it becomes necessary for one people—

And the colonies were one people; they were a part of the English people; they were children of England; they had the education and the conditions of England; they had here the best of England's institutions; they were no less one people with the English in ties of blood, association, education and love of liberty than the Southern people, and we were one people in the old days, as we are to-day, and as we always, always

hereafter will be; and Jefferson wrote of that situation:

When in the course of human events it becomes necessary for one people—

Who would compare our people with the tribes in the Philippines?

to dissolve the political bands which have connected them with another and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them—

That presupposes a people so far educated in love of liberty and in the science and capacity for government, as to be able to form a nation entitled upon principles of international law and usage to "the separate and equal station to which the laws of nature and of nature's God entitle them" among the powers of the earth. Will any one tell me that there was such a people in the Philippines? Will any one deny that there was such a people in the colonies? For them it was written and of them it was true:

A decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

What follows is a justification of revolution:

When we passed our declaration about Cuba we declined to recognize the independence of Cuba, but we issued a high political declaration justifying the right of revolution as stated by Mr. Jefferson, a declaration that the tyranny of Spain entitled the people of Cuba—one people they were, too—to revolt from Spain and become free and independent of the parent state, and we proceeded to help them to do it.

We hold these truths to be self-evident, that all men are created equal—

I said once in the Senate that that is true only as an abstraction. We all wish it were true everywhere. When the millennium comes, when angels carry into operation these lofty principles of abstract justice it will be true; but while the weak, passionate agencies of the human race must work them out, it never has been true and it never will be true. It was more conspicuously untrue for seventy years after the adoption of that declaration in the United States than anywhere else on earth—

that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness.

He created all men. He created the white man and the brown man, and the red man and the black man. Was this abstract principle, announced by way of argument to sustain the right of revolution, understood to have universal application among men? When it was written and for nearly seventy years after, millions of people created by God had no rights in this land—

Mr. Hoar—I remind the Senator from Wisconsin that Mr. Jefferson, who wrote it, speaking of the blacks, said: "I tremble for my country when I recollect that God is just."

Mr. Spooner—Certainly.

Mr. Hoar—He recognized it as a contradiction.

Mr. Beveridge—He himself owned slaves.

Mr. Hoar—He recognized it as a contradiction.

Mr. Spooner—That statement in the Declaration of Independence nevertheless was a living lie in this land for seventy years.

Jefferson manumitted his own slaves. He made it true as far as he could administer it. Our people proceeded, long after this, to adopt a Constitution, and in that Constitution itself—a Constitution which we all venerate, a Constitution to which we all appeal

—they incorporated as a part of the organic law of this land a recognition and protection of slavery, and the right of the white man to buy and own and sell the black man and the black man's wife and the black man's child. Mr. President, it was worked out in the end.

The Senator from Massachusetts (Mr. Hoar) in his beautiful speech said, speaking for one epoch: "I put down the rebellion; I freed the slave." Ah, but how did we free the slave? We washed out that awful stain with precious blood, shed not only by our people, but by yours of the South.

When Abraham Lincoln put his hand to the Proclamation of Independence war was flagrant in the land, the flag was being stained with the sulphurous smoke of battle and shot into rags on a hundred fields of fight, and the shrieks of the wounded and the dying, the weird and awful music of war, were borne upon every breeze from the South to the North, and our homes and your homes were filled with sadness and broken hearts and everywhere were new-made graves. In the providence of God it has happened since the dawn of civilization that sometimes only through agony and the shedding of blood could the principle of the Declaration of Independence—the eternal principle of individual rights and liberty—be wrought out.

"I put down the rebellion." That war has seemed to me a practical exposition by our people of the doctrine of the "consent of the governed" and almost a national repudiation of it as a doctrine of general application. The Southern people, they thought rightly and we thought wrongly, decided that we had invaded, or intended to invade, their constitutional rights; that there had come an irrepressible conflict between the North and the system of slave labor in vogue in the South and recognized by the Constitution.

This system the South considered not only their constitutional right, but indispensable to their prosperity. Preceded by years of bitter agitation, the time came when, asserting the right of revolution, which in the last analysis is based upon the doctrine of the consent of the governed, they revolted and created a Confederacy, "laying its foundation on such principles and organizing its powers in such form" as to them seemed "most likely to effect their safety and happiness." We denied their right to withdraw their consent to be governed by the United States.

They struggled long and gallantly and at inexpressible sacrifice for the independence of the government which they had instituted. If they had had the money and the men and the resources, they would have established their right. We suppressed their rebellion and preserved the Union because we had resources of men and money to whip this "consent-of-the-governed" theory out of the good people of the South. We forced a government upon them against their will.

The great transactions of the world have not been and cannot be governed by mere maxims of abstract right. Some day it may be so. Thus far it never has been so in any age or among any people.

I have always believed that in no other way could slavery have been eliminated from our system, and that in no other way save through the bloodshed and heartbreak and cruelty of war could we have been molded perpetually into one people.

A general from the Philippines, and one of the most intelligent, who has read the Declaration of Independence and knows fairly well what it means, who has been all through the Philippines, has met those people of every

class and description, when asked before the committee if the people wanted independence, replied, "Yes, I guess they do, but they do not know what it means."

He thought that most of the Taos or peasants regarded it as "something good to eat." Even Aguinaldo never talked about independence except with a protectorate, and he was negotiating with himself as to what government on earth he would have protect him and his republic.

No, Mr. President, the Senator from Massachusetts, in that "rhetorical" column of his, remarkably eloquent and beautiful, to which each epoch in our history contributes its message, placed properly at the foundation to that of the Puritan and the Huguenot. That message, as the Senator from Massachusetts read it, was short, yet true, of course. "I brought the torch of Freedom across the sea. I cleared the forest. I subdued the savage and the wild beast. I laid in Christian liberty and law the foundations of empire." That is all true. But through what a terrible, strenuous and bloody pathway they walked at times from the beginning to the end of the journey which the Senator so beautifully and so briefly epitomizes.

They found the Indian tribes here, and they did subdue them. I say it with no disrespect, for my father was born in Massachusetts, and for his sake and the sake of my forbears there, as well as for the splendid history of that grand old Commonwealth, I could have nothing but respect and veneration and love for her. It is one of those harsh things that come about when you get away from mere theories and into "the corrupted currents of this world."

I refer to one item in the history of Massachusetts which I do not mention to condemn, because in the progress of civilization the elements of barbarism have always resisted every forward step, and men with love of liberty, men who wished to work out in the sight of God great results for liberty, have many, many times, as Abraham Lincoln had to do, passed through cruelty and hardships and suffering, sometimes inflicted by themselves, in order to reach the goal.

"I subdued the savage." Here is the act of the province of Massachusetts, passed in 1722, a hundred years after the settlement. I could not help thinking of this statute when I heard the general denunciation of the Army in the Philippines for its cruelty, based upon the assumption that a military officer over there, stung by unspeakable cruelty to American soldiers, had forgotten the honor of the flag and verbally given an order which no officer ought to obey, and which no officer ever ought to think, much less to utter.

This is one of the many cruel chapters in the history of civilization. I shall not read all of this act passed on the 8th of August, 1722, entitled, "An act to encourage the persecution of the Indian enemy and rebels."

Section 1. That the following rewards be allowed and paid out of the public treasury to any company, troop, party, or person singly who shall kill or take any of the Indian rebels or enemies; that is to say:

First. To volunteers without pay or subsistence, for the scalp of any male Indian of the age of 12 years or upward—

(Laughter.)

Boys at play—

for the scalp of any male Indian of the age of 12 years or upward, the sum of \$100—

Not Mexican, either—

and for the scalps of all others that shall be killed in fight—

I suppose the others are to be shot from

behind, in ambush, waylaid, and for those they will pay a higher sum—

and for the scalps of all others that shall be killed in fight and the prisoners that shall be rendered to the commanding officer of any regiment, company, troop, or garrison, £50 each, and the sole benefit of the prisoners, being women or children under the age of 12 years, and the plunder, the prisoners to be transported out of the country.

Secondly, to the volunteers without pay, being subsisted and supplied with ammunition, the sum of £60 for each scalp of any male Indian above the age of 12 years, and for the scalps of all other and for the prisoners taken and rendered, as aforesaid, the sum of £30 each, and the sole benefit of the prisoners, as aforesaid.

\* \* \* \* \*

And be it further enacted by the authority aforesaid:

Sec. 3. That the above-mentioned payments respectively to be made for every Indian, as aforesaid, slain or taken, be ordered upon bringing in the prisoner or producing the scalp of the dead person, oath being made before the governor or one or more of His Majesty's council that it is bona fide the scalp of an enemy or rebel Indian killed or slain by him or them.

Provided:

Sec. 5. This act shall continue and be in force during the present Indian war and rebellion and no longer.

Passed and published August 16.

Mr. Hoar—Will the Senator from Wisconsin allow me?

Mr. Spooner—Certainly.

Mr. Hoar—Our ancestors in Massachusetts bought and paid for fairly, by honest bargain, every foot of land they acquired from the Indians. That order of 1722—

Mr. Spooner—It is a statute.

Mr. Hoar—No matter what it is, it is a cruel and barbarous order, a relic of what was a cruel and barbarous time. Do you approve it that at the beginning of the twentieth century you are making a precedent of it? Tell us that.

Mr. Spooner—I think our fathers bought the lands of the Indians and then proceeded to buy the scalps of the Indians.

Mr. Hoar—I will agree that this policy which the Senator from Wisconsin is defending is well supported by all the wicked precedents that can be culled from the lives of good men. (Laughter.)

Mr. Spooner—Yes; but when the Senator finds it in his heart upon ex parte testimony to denounce in general language transactions in this age of officers as brave as ever lived, he ought not to forget at least that our forebears—brave men—in war also found it necessary to resort to what in time of peace no man on earth would approve of.

Mr. Hoar—Does the Senator approve of that order—war or peace? He has not answered that question.

Mr. Spooner—I think if it was necessary to pass that statute in order to protect the wife, the children, the home from destruction—the wife from debauchery, the children from torture and death—I would have done what they did. What does the Senator say?

Mr. Hoar—It never was necessary to do it.

Mr. Spooner—Oh!

Mr. Hoar—It was a base and wicked order, and when the Senator speaks about our forebears I am happy to have the right to say that the men in that generation who bore my name incurred obliquely and indignation by resisting those things just as I do now. (Applause in the galleries.)

The presiding officer (Mr. Platt of Connecticut) rapped with his gavel.

Mr. Spooner—Civilization has never gone forward without contest and conflict and re-

sistance and bloodshed and the cruelties of war.

Mr. Hoar—Mr. President, does the Senator from Wisconsin approve that order—without any "if?" He says he does not approve the order in the Philippines. Now, does he approve this one?

Mr. Spooner—If it was necessary—

Mr. Hoar—Does the Senator approve it?

Mr. Spooner—I for one am not willing to accept the opinion even of the distinguished Senator from Massachusetts, as great an historian as he is, that this statute was a mere wanton, useless exhibition of brutality and cruelty. It may be true, but I have never believed it, that the men who left their homes in England, who crossed in a little bark with their families the treacherous sea—

Mr. Hoar—This was a hundred and two years later.

Mr. Spooner—I know; but they brought liberty with them to this continent, and I have never believed that the men who sprang from them lost in love of liberty.

If the Indians had not been driven back, if this maxim in the Declaration of Independence about which so much is said had been literally construed and strictly observed, we would have had no United States. This country would still have been inhabited by nations of savages, considering liberty as the right to roam where they chose and kill whomever came in their way. The states which have been upbuilt have been built in the same way in degree. Wherever the frontier has been pushed back by the advancing forces of civilization it has involved struggle, hardship, strife and bloodshed. We have pressed the Indians, whom Mr. Jefferson said loved independence and liberty, farther and farther, until to-day we have nearly all who are left in "concentration camps," called reservations.

Mr. Hoar—Mr. President—

Mr. Spooner—And, if the Senator from Massachusetts will pardon me, it is one thing, taken in an isolated way, dealt with by itself, independent of conditions, and another thing regarded in its connection with the work of civilization, with the irresistible impulse of the Anglo-Saxon to move forward; to conquer the forest; to remove obstructions; to build cities; to erect houses of worship; to turn a continent into the home of 80,000,000 free people; when necessity came for it I somehow believe it was a part of the scheme of the Almighty that some of these things should be done.

Mr. Hoar—Now, Mr. President—

Mr. Spooner—Just as I believe—

Mr. Hoar—I beg the Senator's pardon. The Senator disapproves of the order in the Philippines. He says so.

Mr. Spooner—I say it is—

Mr. Hoar—One minute. Let me finish the sentence.

Mr. Spooner—I did not say so as the Senator says it.

Mr. Hoar—I understood the Senator to say that it was an order which no soldier ought ever to have given and that he disapproves of these cruelties. I understand he approves in his mind of 1722. What is the distinction in his mind that makes him approve that and disapprove what has happened lately?

Mr. Spooner—I did not say that I approved the statute of 1722.

Mr. Hoar—Very will.

Mr. Spooner—I cannot put myself in their situation. The Senator said it was a wanton, causeless, unnecessary thing. I have not so understood it.

Mr. Hoar—My honorable friend agrees with me in disapproving what has been done in the Philippines in that particular, but does not say whether or not he approves the precedent he cites.

Mr. Spooner—I did not cite it for my benefit. I cited it for the benefit of the Senator from Massachusetts, to show that even the liberty-loving people of the Province of Massachusetts—

Mr. Hoar—Did a mean thing once.

Mr. Spooner—Had to do a cruel thing once in order that their families might live, that civilization might move forward, and that in the end liberty might dwell in that colony. We cannot carry out our own—

Mr. Hoar—In 1722 there was no such necessity. The Indian wars were all over, so far as they were carried on by any Indian tribes in Massachusetts. Philip's War ended in 1666 or 1667. That was an act aimed at the allies of the French who came down from Canada and brought some Indians with them. There was no war in Massachusetts in 1722.

Mr. Lodge—Will the Senator from Wisconsin permit me?

Mr. Spooner—Certainly.

Mr. Lodge—That statute was directed against the Maine Indians, and was owing to the slaughters committed by those Indians on the frontier settlements of Maine, which was then a part of Massachusetts. It was for the protection of those villages on the Maine frontier that the statute was passed.

Mr. Gallinger—If the Senator from Wisconsin will permit, perhaps it is not important, but a similar statute was passed in the province of Massachusetts in the year 1694, only they did not give quite so much for a scalp. That is the only difference. (Laughter.)

They paid £50 per scalp in 1694, but as they progressed in civilization they paid £100 in 1722, twenty-eight years later.

Mr. Hoar—I want every senator who likes the taste of either of those statutes in his mouth to tell me two things which the Senator from Wisconsin has partly told. One is whether he approves of them, and the other is whether he approves of what has been done in the Philippine Islands.

Mr. Gallinger—I was not there; so I cannot tell much about it.

Mr. Hoar—I have not yet found anybody, thank God, who will say that he approves of either.

Mr. Spooner—And the Senator will not find anybody, thank God, who approves of any cruel order in the Philippines.

Mr. Hoar—I know that.

Mr. Spooner—And so far as I am concerned the Senator will never find me ready to impeach the whole Army in the Philippines upon ex parte statements. (Applause in the galleries.)

The presiding officer rapped with his gavel.

Mr. Hoar—Who has impeached the whole Army?

Mr. Spooner—It has been done in this whole debate. It has been done by witnesses before the committee. I am not talking about the Senator from Massachusetts.

Mr. Hoar—I thought you were talking of me or trying to. I said distinctly that our Army was composed of brave and humane men; that in a few instances these things had been done, but that they always did occur in contests between savage or inferior and superior races, and therefore the fault was not with the Army, and that the Army ought not to be denounced for it. The fault was with the persons who took the responsibility of

bringing on the conflict. That is what I said about it. (Applause in the galleries.)

Mr. Spooner—Mr. President—

The presiding officer—The Senator from Wisconsin will suspend for a moment. Manifestation of approbation or disapprobation by the occupants of the galleries must not be repeated. If it is, the galleries will be cleared, according to the rules of the Senate.

The chair also reminds Senators that if they desire to interrupt they must obtain the permission of the chair.

Mr. Spooner—What did the Senator from Massachusetts mean when he said in the message from that fundamental epoch "I subdued the savage?" He did not refer to this isolated chapter. He did not intend by that to put a taint upon the men who enacted that law. I do not judge them because I cannot put myself in their places. I do not know what I would not do in order to protect my wife and my children or my neighbor's wife and children against destruction. I merely mean that, regardless of maxims, in the advance of civilization on our own continent the fundamental message which that epoch sends as expressed by the Senator from Massachusetts, involved subduing the savages in all necessary ways.

So did the next one. The states to which he referred were not subdued without subduing the savages. Some way I find in the progress of civilization here and there, all along the line that men have done, and I presume they had to unless I know differently things which from the standpoint of peace and the enlightened civilization of this day would be condemned. I am not condemning them.

The Declaration of Independence and its words "the consent of the governed" has played from the beginning a conspicuous part in the debate upon this subject. I confess I have not been able to see its applicability. Perhaps that is partly due to our differences as to the facts. To me it is clear that a condition precedent to the applicability of the doctrine is the existence of a people of sufficient intelligence, cohesion and power of organization to alter or to abolish a form of government which to them had become destructive of the ends of government and to institute a new government and to maintain it.

If the 10,000,000 inhabitants of the Philippines had, independent of our presence and operations there as an enemy of Spain, organized an insurrection, declared their independence and won it, and established a government to suit themselves it would have been their right to maintain it as they saw fit, without dictation from any other government or people. But this is not the case. From my point of view they had done none of these things in any substantial sense, and we acquired from Spain by treaty the title to the archipelago, the sovereignty over it and the right to govern it. That in such case adherence to the Declaration of Independence, if it be applicable at all, requires regardless of the fitness of the people to govern, that they shall be turned loose to form a government of their own I deny.

The doctrine of the consent of the governor, as used here as an argument against the government for what it has done and proposes to do in the Philippines, has been violated by this nation from the beginning.

We purchased Louisiana, a vast territory. Did we ask the consent of the people? Did we not put upon that people, many of them intelligent people, too, a government against which they protested? And was not the man

who did it and the man who defended it the same Thomas Jefferson who wrote those words in the Declaration of Independence?

The Senator from Massachusetts (Mr. Hoar) in attempting to parry that said the other day (and if he had not felt that there was force in it he would, I know, never have been driven to parry it in that way), that Jefferson did not want to buy Louisiana; that all he wanted to buy was the City of New Orleans, and that Napoleon forced the whole Louisiana purchase upon him. That may be true. I have no notion to challenge that.

Mr. Hoar—Mr. Jefferson's reason was what he gave at the time, that there were not any people there, and it would be a thousand years, he thought, before the territory would be settled.

Mr. Spooner—Yes, but what was in the mind of Mr. Jefferson has nothing whatever to do with it, nor will it have anything to do with it in the mind of anybody else, I think, who stops carefully to consider the question. It is not a question whether Jefferson intended to buy the territory or only the city. The question is what he did with the people of the territory after he acquired it.

Mr. Hoar—Mr. Jefferson thought there were not any people in the definition the Senator has just given. Now Orleans had French traders who were to make their money and go home to France. The others wanted to come to us. But in the territory, with the exception of a little trading post at St. Louis, there were no settlements.

Mr. Spooner—There were 60,000 people, Mr. President.

Mr. Hoar—Guyarre fixes the number at about 30,000. It was a vast territory.

Mr. Spooner—When did it ever come about that 60,000 people are entitled to the "blessings of liberty" and 30,000 are not?

Mr. Hoar—But, when you are talking about a continent, the question whether there is one man to ten miles square spread all over it, or whether there are 30,000 men so compact that they can make treaties and form a government is the question. It is not a question of numbers. Rhode Island was as much a people as New York or Virginia at the time of the Declaration. So was Delaware. But if the people of Rhode Island had been scattered over this whole continent or over the whole Louisiana territory without any cohesion or vital life, they would not have been a people then. I beg the Senator's pardon, because he stated it in the beginning of his speech exactly that way.

Mr. Spooner—In Louisiana and in the United States no people can be a people entitled to the privileges and blessings of the Declaration of Independence unless they are such a people as can maintain a government and make a treaty? Mr. Jefferson in this transaction utterly repudiated the notion that the Declaration of Independence, so far as the consent of the governed goes, took no account of the question whether people were fit for self-government or not. I will read what he said:

The question is not whether a people are scattered, no matter if they be educated, no matter if they be able to write such a splendid protest to the Congress as came up from them against the alleged tyranny of Jefferson's government, and nothing on the public files is finer than their protest. They were not children. Many of them were men of education. They were men of refinement.

When Mr. Jefferson was arraigned for violating the Declaration of Independence, for putting upon that people down there a gov-

ernment which was not in accord with it, not consulting them, denounced in one House or the other of Congress as being a king—I read it once here in debate—he wrote to Dewitt Clinton, December 2, 1803, as follows:

Although it is acknowledged that our new fellow citizens are as yet incapable of self-government as children, yet some can not bring themselves to suspend its principles for a single moment. (Works, vol. 8, p. 283.)

That is what Mr. Jefferson thought about it. He did not look upon this declaration as at all times applicable to all classes of people, without regard to fitness, and the faculty of sustaining and administering government.

That is one trouble here. We say we will put a government in the Philippines. We will give them participation. We will give them a bill of rights. We will fill their land with schools. We will give them object lessons in government; but we do not think, as Jefferson did not think, that this principle is applicable without regard to circumstances. We do not belong to the class of whom he writes, of men who are willing to apply the Declaration at once without regard to fitness, who think it cannot be suspended for a minute.

Mr. President, my distinguished friend as a prophet may be correct. We may not be able to work out this problem as McKinley wanted to work it out, as Taft is laboring to work it out, with a measure of self-sacrifice, in my judgment, endangering his own life, and an adhesion to an ideal that is as patriotic, as liberty-loving, as any which ever entered a human heart.

But we think if, when the time comes that we have educated the people to appreciate government, to sustain it, to take part in it, we will consult them—it is we who are carrying about with us in this work as a vital, living force the principles of the Declaration of Independence, and not those who insist, without regard to circumstances and situation, as was insisted as to Louisiana, upon putting into practical operation at once these maxims.

Mr. Jefferson had this to say about it. In 1826, writing to John Adams, and I read this in its relation to the argument made by the distinguished Senator as to the Monroe doctrine, although I know he does not refer to that, perhaps:

I enter into all your doubts as to the event of the revolution of South America. They will succeed against Spain. But the dangerous enemy—

And that is true, Mr. President, over yonder—

But the dangerous enemy is within their own breasts. Ignorance and superstition will chain their minds and bodies under religious and military despotism. I do believe it would be better for them to obtain freedom by degrees only—

He was willing to wait on fitness and education. To do otherwise in the Philippines is to make of the great Declaration of Independence not a shield of liberty but the instrument of tyranny, not the tyranny of Spain, but the tyranny of anarchy, of violence and domestic oppression.

because they would by degrees bring light and information, and qualify them to take charge of themselves understandingly; with more certainty if in the meantime under so much control as may keep them at peace with one another.

In this very diary furnished before the committee Aguinaldo says that after independence, if they obtain it, he fears will come civil war.

Surely it is our duty to wish them independence and self government, because they wish it themselves, and they have the right,

and we none, to choose for themselves, and I wish, moreover, that our ideas may be erroneous and theirs prove well founded.

Jefferson is speaking of the South American republics. If we had no relation with the Philippines, if we had no sovereignty there which we have, the situation would be the same as it was as to the South American republics, concerning which Mr. Jefferson wrote.

Again, in 1822:

But let us turn from our own uneasiness to the miseries of our southern friends. Bolivar and Morillo, it seems, have come to the parley with dispositions at length to stop the useless effusion of blood in that quarter. I feared from the beginning that these people were not yet sufficiently enlightened for self government.

And they were a homogeneous people. They were a part of the Spanish people; and here are three races and eighty-four tribes, with nothing whatever to bind them together, either in association, business or organization.

I feared from the beginning that these people were not yet sufficiently enlightened for self government, and that after wading through blood and slaughter they would end in military tyrannies more or less numerous.

That is what we want to prevent over there. That is what we would promote by going too rapidly.

Yet, as they wished to try the experiment I wished them success in it; they have now tried it, and will possibly find that their safest road will be an accommodation with the mother country, which shall hold them together by the single link of the same chief magistrate, leaving to him power enough to keep them in peace with one another and to themselves the essential power of self-government and self-improvement until they shall be sufficiently trained by education and habits of freedom to walk safely by themselves.

That takes time, I say to my distinguished friend from Massachusetts.

Mr. Hoar—Jefferson meant to leave it to them to decide, not for us to decide.

Mr. Spooner—They were not ours.

Mr. Hoar—I understand. These men are not ours.

Mr. Spooner—These men are not ours but this territory is ours. The 67,000,000 acres of land are ours, with the power incident to ownership to govern and the people of the United States will govern, Mr. President, until the people there can govern and until they can protect themselves without help from the world and from themselves and each other.

Mr. Hoar—From us.

Mr. Spooner—Oh, Mr. President, does the Senator mean to tell those people that our object is to enslave them? When William McKinley sent his message over there that our purpose was to carry to them the blessings of liberty, to regard their prejudices, to consult their habits, to teach them the difference between liberty and license, to ameliorate and destroy the ancient system of Spanish tyranny, does the Senator think that he did not speak for the whole American people?

Mr. Hoar—Mr. President, I have not the slightest doubt on that subject.

Mr. Spooner—Was it ever—

Mr. Hoar—The Senator asked me a question.

Mr. Spooner—Well.

Mr. Hoar—I have not the slightest doubt of the absolute sincerity and desire of President McKinley to do what was right and just, and of the majority who voted for this treaty; not the slightest. I never have said anywhere otherwise. But it is the old fable of the dog and the wolf, when the dog in-

vited the wolf to his feast and showed him how well fed he was and gave him his dinner and wanted him to come and live with him. Just as the wolf was going away he said, "What is that little mark around your neck?" "It is the mark of the collar." "I think I will stay at home in my freedom."

Mr. Spooner—Who is the wolf?

Mr. Hoar—Whoever he is, my proposition is that it is a question of independence, of the right of that people to determine all these things for themselves, not of the right of the best man living, being an alien 10,000 miles off, to determine it for them. That is the proposition.

Mr. Spooner—Mr. President, theoretically that is lofty and beautiful.

Mr. Hoar—I am glad I have got the Senator so far, because things that are lofty and beautiful theoretically always work out under the government of God of this universe to be the best things practically.

Mr. Spooner—Yes; but the negro did not find it so with the Government of the United States. You cannot deal with peoples or with transactions like this upon maxims without regard to environment.

Mr. Hoar—I want to look at what the Senator quoted from Mr. Jefferson, because he was led into an error.

Mr. Spooner—In what respect?

Mr. Hoar—Mr. Jefferson was not, as the Senator stated, arraigned for violating the Declaration of Independence. He was not replying to any such charge. Mr. Jefferson was arraigned for having done something that was not within his constitutional power, which he admitted.

Mr. Spooner—The Senator is mistaken.

Mr. Lodge—He was attacked—

Mr. Hoar—This is—

Mr. Lodge—I do not know anything about what he expected, but I know, historically, that he was attacked.

The presiding officer—Senators must address the Chair.

Mr. Hoar—Mr. Jefferson never admitted for a moment that he violated the Declaration of Independence.

Mr. Gallinger—He was charged with it.

Mr. Spooner—I know he did not; but he was charged with violating it. He was charged with violating it in precisely the same particular that the Senator from Massachusetts charges us with violating it; and he denied it, as we deny it.

Mr. Hoar—Mr. Jefferson was wrongfully charged and you are rightfully charged.

Mr. Spooner—I never yet have been able to say that I was right and that everybody who disagreed with me was absolutely wrong.

Mr. Hoar—But the Senator stand up for his way, does he not?

Mr. Spooner—I stand up in this matter, not for my way alone, but for McKinley's way—

Mr. Hoar—Oh!

Mr. Spooner—And the way of the Senator's colleagues in this chamber who voted for the treaty, and the way of the American people who re-elected President McKinley after all these things had been done.

Mr. Hoar—A great many people voted for McKinley who did not approve of that. There were a vast number, as the Senator knows very well. This is the first time I ever heard it argued in the Senate that the question of righteousness was settled by a show of hands at a popular election.

Mr. Spooner—Mr. President, I do not say that, but I say this: I am not an overly good man; but if I thought my party was engaged in unrighteousness, if I thought it was en-

gaged in a policy of dishonor, if I thought it was marching forward to trample upon human rights, to destroy an aspiration for independence, to crush out a liberty-loving and well-established republic, so help me, God, I would vote against my party, not with it.

Mr. Hoar—I suppose the Senator probably would have to find some other party to vote for that did not indorse the same thing.

Mr. Spooner—If one party was standing by my construction of the Declaration of Independence and the other was trampling upon it and destroying it I think when it became a matter of conscience I would not have much hesitation about it.

But, Mr. President, we are all trying to do the best we can. I know my friend thinks his way is right. We think ours is right. He loves liberty; so do we. He does not admit that we do, but he admits that he does.

Mr. Hoar—My honorable friend utterly misstates it. I received in my mail this morning from a clergyman the wrathiest of letters, denouncing me. He wanted to know how I can possibly say as I do; that these men are good and honest men, and love liberty as well as I do, and with a great deal more intelligence than I have, when I think this particular measure is wrong. Now, Mr. President, we are not born into this world to live here on those terms.

Mr. Spooner—Certainly not.

Mr. Hoar—We have to judge all questions of right and wrong and constitutional liberty as well as we can through the feeble and imperfect light of a feeble and imperfect intellect, and not to judge other men's motives. We are bound to take that as true. But still, when we come to decide what we must do, there is nothing but the light of our conscience given us to act upon.

I admit that the Senator from Wisconsin has a far clearer and abler intellectual light in his brain than I have in mine. I admit that the Senator from Wisconsin is as pure a lover of liberty and of justice and that he is as patriotic as any man who lives now or ever did live; but are we to act as Senators simply by going about and saying who we think on the whole is the best and ablest man we can find and surrender our judgments and consciences to him, or are we to act on our light? I think that Abraham Lincoln, Thomas Jefferson, Daniel Webster and Charles Sumner, whom I loved as a father and as a leader, took another view of these questions; I think they were right; yet, whilst I hold myself to be the humblest of the members here, and set up and arrogate to myself no superiority over any other man, I am still bound to say what I believe and to vote what I believe.

The Senator says that if he thought his party was wrong he would vote against it. I think my party is coming out right in this matter.

Mr. Spooner—So do I.

Mr. Hoar—I think in that party is the only hope, and I think there is a great deal that is admirable in this bill, especially with the amendments proposed by my colleague (Mr. Lodge), but I can find no hope of a righteous solution of this question either in following the leadership of Mr. Bryan or of his associates. I believe that the Senator from Wisconsin, as I believe would William McKinley, if he had lived, I believe that Theodore Roosevelt, who is living now—as brave and honest and liberty-loving a man as ever was charged with executive power in this country or any other—are going to work out

this problem; but they will work it out sooner and better if they are made to see that the principle upon which they have gone so far is vicious.

There is nothing in my vision which makes me believe that I am to trust the solution of this question to a party every other doctrine of which I oppose and a large number of whom are as responsible as is our party for what has happened in the past. I see nothing of hope in the position of that party which makes me look to it for a solution of this question. I cannot forget that while our friends on the other side are uttering these doctrines some of them so excellent and so satisfactory to me, in regard to 8,000,000 Filipinos, they will not for one moment utter the same doctrines when you come to talk of the rights of 10,000,000 American citizens at home. I am not afraid to encounter any man in regard to the justice or the righteousness of my own position in that particular.

I should not have interrupted the Senator had it not been that, as he knows, the last few sentences he uttered were sentences which were vital to whatever title I have to the affection of my friends here or to the respect of my fellow citizens.

Mr. Spooner—Nobody on earth, Mr. President, can say anything that could affect the Senator's title to the affection and respect of the Senate and of the whole people. I had no thought of any such thing in what I said; but I do not take kindly to the charge applied to me personally by the Senator, and by name, in his written speech, that my vote upon the treaty and my utterances on the Bacon resolution place me and those who acted with me in this Senate, and some of whom have fought for liberty, the responsibility for the bloodshed, the atrocities, the cruelties and the heartbreaks that have come in the Philippines.

I say, Mr. President, I am willing to bear my share of the responsibility. I voted to take that cession. The Senator voted against it. I have never anywhere in the world criticised him for that, or permitted any member of any political party to criticise him for that without denouncing such criticism. I voted against the Bacon resolution for the reason which I gave. The Senator voted for it; but that he did so in absolute good conscience, no one can deny. I voted for the Army bill to send troops to the Philippines. The Senator voted against it. He has, as I have said on the floor of this Senate more than once in discussing this subject, been consistent in his votes. But, Mr. President, I will not permit it, without protest—for to do so would not be just—to be said here or anywhere else that those of us who have cast these votes are responsible for the waste of treasure and the waste of precious blood of our own people, the terrible loss of life, the cruelties of war and the cruelties that ought not to pertain to war in the Philippines. It is not true.

I believe, as solemnly as I ever believed anything in my life, that if, after the ratification of the treaty, if after the majority in this country had established a policy, we had gone on, our troops at the front, without the words of encouragement to the enemy, which have been uttered here and elsewhere, there would have been infinitely less loss of life, less waste of money, less of the cruelty of war; and I believe to-day if it were not for the curse of politics—I do not say that as to one side more than the other; I believe if, on this subject, which is so difficult and which belongs to all the people, we

could work together without division on political lines, trying to perfect legislation, trying to help each other do the best to bring the government forward in this work upon which we are started and from which we cannot now retreat in honor or in decency, we would save loss of life, and we would bring much more quickly to the Filipinos that which the Senator from Massachusetts and all of us desire.

The Senator is right, in my belief, in his faith in the ultimate result of the policy of the Republican party; he is right in his belief that we mean well by that people; he is right in his faith in the American people, that when the time comes that those people are fit for self government over there our people will decide to give it to them; but I think the Senator is wrong in his idea—it is an honest difference of opinion, of course—that if today, regardless of conditions, we should proceed upon the maxim of Jefferson and have regard to that mainly, there would come safety, or peace, or any good thing to the Filipinos.

Mr. President, the Senator from Massachusetts said in his speech—and I was surprised at it—that almost the only thing we have done there "has been to get some few thousand children actually at school in the whole Philippine dominion," but that we had killed a great many more parents than we had enrolled scholars. I do not know how many Filipinos we have killed, and God only knows how many Filipinos Aguinaldo and the Katipunans have killed. The evidence is overwhelming that their policy, in order to avert friendship for us, has been one of assassination and bloodshed. We have heard of some pitiful and pathetic cases. But is the Senator right as to what we have done for them?

I have a letter from a teacher over there—I do not often refer in debate to letters—but the letter was written by a noble man, who believes in the possibilities of development in the Filipinos, just as Governor Tate does, and just as I do on the evidence, in which letter he states that 72 of the police force in the city come every night to his school to receive instruction in English. Have we done nothing in the Philippines of which we ought to be proud? Have we done nothing in the Philippines which gives nothing of hope for vast blessings to that people?

Why, Mr. President, we have carried to them incorruptible courts of justice. They are represented in the Supreme Court; they are represented in the courts of first instance; they are governors of the provinces; they are presidentes of the municipalities. Does that all mean nothing? They have never before had any participation in government. They are represented in the commission, the law-making power for the time being.

We have not been fighting for sovereignty over there. We obtained that by the treaty. We have been fighting against an attempt to oust us, not for lucre, not for "nuggets of gold," but to enable us to carry forward the work of pacification and upbuilding. We have put in force there the bill of rights and the habeas corpus. There is testimony before the committee that one woman, an educated woman of large property in Manila, was taken out of prison by a writ of habeas corpus, who had been confined there for twelve years without trial, or even being informed of the charge against her, the Spanish government in the meantime occupying her property and taking the rents and profits. They have been under the curse of ladronism

for three hundred years, a terrible weapon of tyranny to that people in almost every province. We have almost driven that away. Those people have been subject to the feudalism that kills ambition and hope in the hearts of the peasantry.

They say these men are lazy; but they have had little motive for being anything but lazy. They have been slaves, Mr. President. When they wanted men to work they did not seek the men who were to work. They asked the presidente for 200, for 300, or for 400 men—that was always the way in the past—and he would send them, he would fix the pay, he would collect the pay, and he would give to the men who earned it just what he thought they should have—a system of slavery. In spite of resistance and war and its distractions we have given them more of liberty and security and good government than they have had in their existence.

General Hughes has testified that he wanted 250 men, I think it was, and that he called upon the presidente for them. The men came the next morning. They moved along during the day. At night he called every one of them up, and paid him his day's wages in change. The first time in their lives these men found an object lesson from us that they were free, that they owned their own labor and the wages of their toil, and the next day a great number came for work. They had learned something. So we are rescuing that people from feudalism; we are teaching them that they are free, as I said a moment ago, and General Hughes has testified, and others also, that that once established there will be no trouble in the Philippine Archipelago, because the peasant class will keep everything right.

Are we bringing nothing to the Philippines but cruelty, atrocity, bloodshed, and crime? Do they hate us? Are these governors all falsifiers when they send report after report to us giving in detail the conditions in their provinces, and bearing testimony to the friendliness of the people and their desire for peace. When Senators here were denouncing the Army and attempting to show that cruelties and atrocities have been general in the archipelago, there were presented at the desk, and more have come since, petitions from seventy-odd places, of presidentes and governing bodies there, asking that these soldiers be retained there to protect the people against ladrones and against the unlawful acts of the insurrectos. Does that all go for nothing?

General Chaffee, who has been so bitterly denounced here by a portion of the minority, in his personal letter to General Hughes, of September 30, 1901, in speaking of the sentiment of the people in the islands, says:

Women and children are probably friendly toward us, but as a rule I would not trust 50 per cent. of the male population.

This may be fairly taken as a fact as to the women and children—and he thinks it also true, evidently, of approximately half of the male adults. And it is a fact full of hopeful significance and one that will bear rich fruit for peace and for the good of the Filipinos and for us. The Filipinos are shown to us to be a domestic people. Nowhere in the world is the wife a truer wife than in the Philippines; nowhere is there greater hospitality in the home; nowhere is the child better loved than in the Philippine home. If the women and children are friendly to us, who can doubt that their influence in the homes will bear great results?

Mr. President, I do not intend to go into this testimony about the Army, but I have read it and I have gone through all these

printed orders and I do not find one among them, including Smith's written orders, not justified in the circumstances by the rules of civilized warfare. I do not find one of them that is out of harmony with General Order No. 100, issued in Lincoln's day and still in force. The concentration order of General Bell was a wise order. It subserved an entirely lawful purpose in war. It was for the protection of our soldiers, but it was also for the protection of the friendly Filipino or any Filipino who came within our lines. It was lawful to protect our soldiers. It was lawful—and it was not only lawful, but a duty as solemn as ever rested upon a people or an army—to protect in every possible way, compatible with the rules of civilized warfare, those Filipinos who were friendly to us; and it was lawful also to devastate, in order to destroy the sustenance of an enemy preying upon the people, forcing contributions and subsistence from them, and shooting down from ambush our men.

The attempt to treat the concentration in the Philippines as a parallel in infamy with the reconcentrado policy of Weyler in Cuba is not only found to be without support in the evidence, but to be disproved. Here is a description of the concentration camps in Cuba:

The helpless people were allotted ground near the towns, almost invariably in low lying, swampy, and malarious places. The Spanish residents would not be burdened with them and generally cared not how soon they died. They were concentrated in greatest numbers where the accommodations were least adequate, as if extermination were the main object. There was nothing for them to do and there was less and less for them to eat, and finally they stretched out upon the damp ground, gazing vacantly before them as the weary days dragged by. Mothers lay listless with dead babies in their arms. The quick and the dead lay side by side till the latter were taken out and thrown into the dead carts and carried off into the country, where lay the half buried bodies of hundreds of victims of this system of warfare. The huts of these people were jammed together in rows, with but a few inches of space between, and the ground was covered with filth. Diseases of malignant types claimed their victims everywhere and every day. There was no medical attendance; it was fortunate if there were half rations. In the different stations of concentration there were estimated to be over 400,000 of these helpless people, and by the summer of 1897 the death rate had become terrible. The beautiful island was a plague spot upon earth.

Is any one willing to believe that this describes concentration by our army in the Philippines? Is it pretended that Filipinos within the lines of concentration were starved or neglected?

I will not take the time to read, but I insert the following from the report of the chief commissary of the Philippines, March 17, 1902, as to the people in the concentration camps there:

We are getting along very nicely in supplying rice to the natives who are concentrated in Batangas and Laguna provinces. Last week, in company with General Wheaton, I visited Binan, Colamba, Santo Tomas, Tananan and Lipa, and the way the concentration of the natives is carried out up there is a credit to the United States Army. Generals Wheaton and Bell both deserve a great deal of credit.

Instead of being called "camps of concentration" the proper name would be "camps of instruction and sanitation." The different barrios, or little villages, are gathered—each barrio—on a street or avenue by itself. Then these different avenues are separated by about 200 feet from their back yards, where they do their cooking, burn up the offal, etc. They have their fire brigades, armed with buckets of bamboo about 6 or 8 feet long. These are grouped on racks every 200 or 300 feet, and every house is required

to keep two of these filled at night. The houses are about as comfortable as those they were required to vacate. They all have an abundance of food, either collected by themselves or furnished by the military authorities.

The inhabitants are most respectful and very cheerful looking. They all have the appearance of being well fed. No indications of sullenness or discontent. Their herds are taken out to graze, and I really think, outside of a military standpoint, the natives will be decidedly improved by virtue of having lived in these well regulated camps of instruction and sanitation. The very poor are made better off in every way than they ever were before, and they are subject by the military to less tyranny than formerly by the headmen. From a military standpoint, of course, the concentration has been most valuable and has resulted in bringing in nearly every gun and every insurgent behind it who has not fled to the province of Cavite and Tayabas, which are under the control of the civil government.

General Hughes testified upon the subject as follows:

I know it as it is practiced there. It is a misnomer to call it a policy of concentration, because the world has learned to put a significant meaning to that word. The policy as practiced in the Philippines has no element of cruelty in it. It is simply an order to the inhabitants of a particular locality to move from one portion to another, and there they reside and carry on their operations and business. If the locality into which they have moved does not afford them ample support, the United States government provides them with food and shelter. The people are pleased with it, because they are permitted to lead an easy life; much easier than at home. There is no element of punishment or deprivation. They are simply requested to come into a certain district.

They are moved out of danger, then, for their own benefit?

Exactly; because those who are inclined to favor the Americans are assailed by the ladrones or the rebels, and unless they came within the lines of the American Army they would be compelled to pay tribute to the insurgents. These people largely accept this concentration, as it is practiced, as a relief instead of a punishment. It is a relief from a punishment inflicted upon them by the insurgents, with whom they have no sympathy.

Professor Barrows testified as follows:

Senator Beveridge—You were pretty well over the Island of Luzon, as I judge from your answers to questions, particularly in those provinces going northward from Manila to the north portion of the island. Did you observe in the prosecution of your work the operation at any point of the reconcentration policy, of which so much has been said? If you did, tell the committee what it was with reference to this cruelty or the reverse. Describe it.

Mr. Barrows—I was in one province which was reconcentrado, and I think I visited all but one town in the province. I think the matter has been very greatly misunderstood. In this case the population was in no sense confined within barriers inimical to its well being. There was no barbed wire fence business at all. They were simply required to dwell and to work along a great cultivated stretch which made up the arable land of the province, within a certain distance of a military road that traversed it. They had to stay there. They could not go out to the mountains. They could not take to the woods. Of course within those limits they could pass, and pass for miles; harvest their rice, fish, do anything they wanted to do; but they must stay in the territory capable of patrol by the military forces.

Senator Beveridge—But within those limits their personal action was free?

Mr. Barrows—Yes, sir.

Senator Dietrich—There was no starvation?

Mr. Barrows—No, sir; that was impossible.

Senator Beveridge—Did you observe any cruelties in those lines?

Mr. Barrows—None whatever.

Senator Beveridge—It is just as you have described it?

Mr. Barrows—Yes, sir. For example, after the rice was cut they had to bring it in the vicinity of this military road and stack it there and thrash it there and harvest it there. They could not do as they had been doing—stack it way out in the country where the insurgents could come in and carry it off. It was simply a measure adopted to prevent the contribution to the insurgent cause of supplies and the rendering to it of assistance in many ways by a population that was supposedly and professedly peaceful.

And on May 5 General Chaffee telegraphed that a month prior natives of Laguna Province, collected under orders of General Bell, had been allowed to return home, and that in Batangas Province, Luzon, the last of the natives were relieved of all army surveillance April 16.

It is said that General Smith issued an order to "kill and burn"—to kill all males over 10 years of age, whether in arms or not. I do not know whether he gave such an order or not. It is said that if he did it was oral and after the slaughter at Balingiga. If he did, nothing on earth, so far as I know, could justify it, and I have yet to hear any one defend it; but I have a sort of tenderness in my heart for an absent man who is accused. I have been bred to think it unfair to try a man and condemn him at the bar of public opinion, or otherwise, upon ex parte testimony when he is absent, and I reserve, as I think it my duty to do, my judgment upon General Smith until I know the facts.

One thing is certain, there is no evidence here that it ever was carried out; there is no evidence here that Major Waller and his men shot a boy over 10 years of age or under 10 years of age; there is no evidence here that they killed a woman or a child, or shot any one except those in arms against us, save the men whom he executed; and that question is yet to be tried at the bar of public opinion when the evidence is all in and when Waller can be heard.

It is an utterly unjust thing, Mr. President, even if General Smith gave that horrible order just as it is said he did, for Senators to use that as evidencing the standard of the Army in the Philippines. If I had the time to read them I would show from speeches made on the other side that a systematic attempt has been made to put upon that standard the general conduct of the Army in the archipelago.

There were many harsh orders issued during the Civil War. There was a great deal that was bitter on both sides. General Grant instructed General Sheridan, if the rebellion continued, to make of the Shenandoah Valley a barren waste. General Grant instructed Sheridan, if he caught Mosby's men, to hang them without trial. General Grant instructed Sheridan to seize every male under 50 years of age able to bear arms and hold them as citizen prisoners within a range of territory. Men were executed during that war many times under the dreadful law of retaliation. It is civilized warfare, but it is pathetic.

General Sterling Price turned Major Wilson and five Union soldiers over to Tim Reeves and his guerrillas to be executed, and they were executed.

General Rosecrans, that brave old soldier, whom we laid away the other day at Arlington, where his earthly home will forever be, and where it ought to be, among his comrades, ordered the execution, in retaliation,

tion, of six Confederate soldiers, and they were drawn by lot and executed.

The Senator from Utah, Mr. Rawlins, condemned that in bitter, biting, vicious language in Bell's order, which was mainly a threat. There is nothing more terrible in the world, it seems to me, than to execute brave men, who may be blameless, and not responsible for that which causes the retaliation, but that is one of the laws of war.

General Lee approved of the shooting of twenty-six Federal soldiers by Mosby for burning houses in Virginia, and you find an abundance of correspondence and some threats carried out, on the other side as well as ours, to execute men in retaliation. That is the bitterness and the horror of war.

Mr. Carmack rose.

Mr. Spooner—And it was on our side as well as on the other side.

Mr. Carmack—Mr. President—

The presiding officer—Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. Spooner—Yes; but I will yield to the Senator altogether in a moment.

Mr. Carmack—The law of retaliation is a recognized law of warfare, and nobody complains where that law is executed; but does the Senator think that everything that has been done in the Philippines has been in compliance with that law of retaliation?

Mr. Spooner—You mean everything?

Mr. Carmack—I mean what you are now defending and talking about.

Mr. Spooner—I am defending that portion of General Bell's retaliation order which was criticised the other day. If the Senator asks me if I defend the order imputed to Smith, I again, as before stated, say no; if the Senator asks me if I defend the water cure, I say no; if the Senator asks me if I would defend the killing of prisoners, I say no; if the Senator asks me if I defend any violation of the rules of civilized warfare, I hope he does not doubt I will say no, and that I mean what I say.

Mr. Carmack—I simply wanted to understand the Senator and to know if he defended the water cure and other acts of cruelty committed by our soldiers in the Philippines.

Mr. Spooner—Of course, there could be no question about that, nor could any man speak more strongly in condemnation of it than has the President, through the Secretary of War, in the order which he sent to Chaffee requiring the court martial of Captain Glenn for the water cure, and asking that it be hastened in order that the statute of limitations might not run in his favor, as follows:

The President desires to know in the fullest and most circumstantial manner all the facts, nothing being concealed, and no man being for any reason favored or shielded. For the very reason that the President intends to back up the Army in the heartiest fashion in every lawful and legitimate method of doing its work, he also intends to see that the most rigorous care is exercised to detect and prevent any cruelty or brutality, and that men who are guilty thereof are punished. Great as the provocation has been in dealing with foes who habitually resort to treachery, murder and torture against our men, nothing can justify, or will be held to justify, the use of torture or inhuman conduct of any kind on the part of the American Army.

I object not to this investigation so much; I do not object at all to the facts coming before the public that the water cure has been administered in the Philippines, al-

though it is grossly exaggerated, in my judgment. I think it is a good thing, if it happened at all, that the country should quickly know it, because we are establishing a civil government, Mr. President.

I do not doubt that the military authorities have not taken altogether kindly to the civil government. I do not believe that as a rule they could maintain and cultivate as friendly relations with the natives as could the civil government. But officers and men must stay there, and they cannot be advised one moment too soon, in my judgment, what the general orders issued from the beginning advised them (some of which I append), that we are not there as tyrants; that we are not there for looting; that we are not there to violate the rules of civilized warfare; that we are not there to insult, belittle, or anger the inhabitants. We are there to treat them kindly. We are there to win their confidence. We are there to protect them. We are there to help them. It is now known, and if it were needed I am glad it has come so soon, from the highest authority, that nothing of the kind will be tolerated on the part of the American Army.

But, Mr. President, for one I protest against the spirit in which this investigation has been conducted and in which the matter has been exploited before the Senate. Senators have been a little too ready, in my judgment, to seize upon improbable tales and put them before the country. The story, as stated by one man, that a hundred and sixty Filipinos had had administered to them the water cure, and all but twenty-six had died, turns out to be untrue.

Mr. Carmack—Does the Senator say that that matter was brought out by the investigation conducted by any committee here?

Mr. Spooner—I did not say it.

Mr. Carmack—The Senator spoke of it in the connection in which he was deprecating the spirit in which the investigation is being conducted.

Mr. Spooner—I did not say that. I spoke of the spirit in which the investigation had been conducted and the exploitation which had been made on the floor of the Senate of the alleged atrocities in the Philippines.

Mr. Carmack—I did not remember that.

Mr. Spooner—That statement was made. Everybody knows—

Mr. Teller—Will the Senator allow me to interrupt him?

Mr. Spooner—Certainly.

Mr. Teller—When I was making some remarks on the first bill before the Senate on this subject, I read that as published newspaper statement.

Mr. Spooner—I know it.

Mr. Teller—I said that it deserved the attention of the committee.

Mr. Spooner—Yes, sir; that is right.

Mr. Teller—It had been published probably in a hundred newspapers before it appeared in the Senate.

Mr. Spooner—The Senator will find that in the speech which I made some time ago I acquitted him of making that charge against the Army, but it went to the world and it turns out that it was not true.

Mr. Teller—It had gone to the world.

Mr. Spooner—Yes; I know.

Mr. Teller—That is why I brought it before the Senate.

Mr. Spooner—Yes.

Mr. Teller—I said for the credit of the Army it was necessary we should know whether it was true or not.

Mr. Spooner—Then there was a charge read here that our troops over there had compelled a thousand Filipino prisoners to dig their own graves and then had shot them in files to fall in the graves they had dug. That is exploded.

Mr. Carmack—I do not understand exactly what the Senator means by saying it is exploded.

Mr. Spooner—What would the Senator mean by saying that it is not exploded?

Mr. Carmack—I say that the letter from the soldier detailing those circumstances was written.

Mr. Spooner—That may be.

Mr. Carmack—But whether or not the statement was true has not been proved or disproved.

Mr. Spooner—Written to whom?

Mr. Carmack—To the father of the young man who wrote it.

Mr. Spooner—The Senator from Tennessee says that such a statement was written to the father, and the father says it never was.

Mr. Carmack—I will say to the Senator from Wisconsin that the proof is undoubted that that letter was written and a copy of it or the substance of the letter was given by the father of the man who wrote it to a newspaper. If the Philippine Committee will permit us to summon that man we will prove that he did receive such a letter.

Mr. Rawlins and Mr. McLaurin of Mississippi addressed the chair.

Mr. Foraker—Will the Senator from Wisconsin allow me?

Mr. Carmack—We ask to have the recipient of the alleged letter summoned, and we are ready to prove that he did receive the letter. But the committee voted not to receive the testimony.

Mr. Spooner—That is the spirit of which I complain—"We are ready to prove."

Mr. Carmack—We are ready to prove—

Mr. Spooner—Who are we?

Mr. Carmack—I mean the minority of the committee.

Mr. Spooner—That is right.

Mr. Carmack—We are ready to prove it if the majority of the committee will allow the evidence to come before them.

Mr. Rawlins—Mr. President—

The Presiding Officer—Does the Senator from Wisconsin yield to the Senator from Utah, who first addressed the chair?

Mr. Spooner—Certainly.

Mr. Rawlins—I should not interfere in this debate except that the question on compelling men to dig their own graves seems to be involved, and I desire to invite the attention of the Senator from Wisconsin to a report signed by an American officer, J. G. Livingston, bearing date January 7, 1902. Livingston is the governor of Sorsegon, the place where it was alleged that a thousand prisoners had been compelled to dig their own graves.

I do not find in this report that a thousand prisoners were required to dig their own graves and afterward were shot and buried in them, but I do find in this report that a presidente or mayor of a town and a policeman, whom the governor reports were innocent, were first tortured, subsequently taken out and compelled to dig their own graves, and afterward shot and buried in them. I find that on page 2,827 of the hearings before the Committee on the Philippines. The governor calls attention to it and denounces the outrage.

Mr. McLaurin of Mississippi—Mr. President—

The Presiding Officer—Does the Senator

from Wisconsin yield to the Senator from Mississippi?

Mr. Spooner—Certainly.

Mr. McLaurin of Mississippi—When the Senator from Washington (Mr. Turner), whom I do not see in his seat, read the article referred to by the Senator from Wisconsin he stated that it was such an enormous charge that he did not believe it.

Mr. Spooner—I said that.

Mr. McLaurin of Mississippi—The Senator from Washington said that when he read the article, but that it was a proper thing for the Senate committee to investigate. I do not suppose the Senator from Wisconsin will deny the propriety of the investigation of the article, when it was found in a respectable newspaper and was a dispatch, I believe, from Massachusetts. I merely wanted to set the matter right, because I do not see the Senator from Washington in the Chamber.

Mr. Foraker—Mr. President—

The Presiding Officer—Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. Spooner—Certainly.

Mr. Foraker—I have been trying to get the floor only to say that I remember seeing in the newspapers, and I think it was printed in the Record a day or two after that statement was made in the Senate, a denial from the father that he had ever received any such letter from his son. He denied absolutely that there was any truth in the story. That is my recollection of it, and I never have heard the story referred to since. I supposed, to employ the language used by the Senator from Wisconsin, that it had been exploded. I did not suppose it would ever be repeated. I see that the junior Senator from Massachusetts (Mr. Lodge) is now in the Chamber. He, no doubt, will have a positive recollection on the subject.

Mr. Hoar—I rose a little while ago to say that I had myself taken some pains to inquire into the matter, as the information purported to come from the neighborhood where I dwell, and I am bound in all fairness to say that I do not believe there is the slightest foundation for such a story.

Mr. Foraker—The junior Senator from Massachusetts can, perhaps, inform us with certainty whether or not there has been a contradiction published by the father.

Mr. Lodge—I do not want to break in on the Senator from Wisconsin, but there was a letter forwarded, printed in the record of the committee hearings, from the Rev. Mr. Walker, in which he said that the newspaper account entirely misrepresented the only letter he had received from his son. The letter I cannot repeat verbally, but it is in the record and I have sent for it.

Mr. Carmack—I do not want to be misunderstood in this matter, if the Senator from Wisconsin will yield to me.

Mr. Spooner—Certainly.

Mr. Carmack—I want to say myself that I have believed the statement itself was at least a gross exaggeration. I do not believe it is possible that the statement as narrated can be true, but that the letter was written by the soldier and received by his father is beyond the question of a doubt. That fact can be proved, if it is a matter of importance, if the committee will permit us to bring the testimony before us. Up to this time it has refused to do so.

Mr. Lodge—There is no doubt that the soldier wrote the letter to his father. The father said the story, as represented in the papers, was not correct. The moment it ap-

peared in the newspaper the War Department cabled to General Chaffee to make immediate investigation and to question the soldier himself and investigate all that was charged in the letter. That is the only way of getting at the direct testimony, and that is now in process.

Mr. Carmack—Of course the soldier, whatever he may have said, will promptly repudiate it, as every soldier in the Philippine Islands has been required and compelled to do.

Several Senators—Oh!

Mr. Spooner—I think that is an attack on the Army and the Administration and everybody else. What does the senator mean by that? What evidence has he of that?

Mr. Carmack—I will give the evidence later.

Mr. Hoar—Will the Senator from Wisconsin allow me? I inquired into this matter pretty carefully. I think I ought to state that not only did the father deny having received a letter with any such contents, but it turned out by the record that the soldier was not at the place where it was alleged he located the transaction at the time, but was on service at a distant place.

If the charge were true, I would not of course hold it back, but I am bound in all fairness to say that I do not believe there is the slightest ground for this charge.

Mr. Carmack—I desire to say that I thoroughly agree with the Senator from Massachusetts. My only point was that the Senator from Washington had brought the matter before the Senate and established the fact that such a letter had been written. That the letter was written I do not think there is the shadow of a doubt. I do not believe the charge in the letter is true, and I do not believe it is possible that it can be true. There may have been some foundation for it, but I think that the letter is so wild in its exaggeration that it is simply impossible.

Mr. Foraker—May I inquire of the Senator from Tennessee what he had in mind when he informed the Senate a few moments ago that he did not understand the story had ever been exploded?

Mr. Carmack—I will say it never has been disproved.

Mr. Foraker—The Senator has simply become satisfied that there is no truth in it?

Mr. Carmack—I was satisfied from the time the story was first published that there was absolutely no truth in it; that is, I was satisfied that, while there may have been some foundation for it, the story to its full extent could not be true. I never did believe it and do not believe it now.

Mr. Foraker—Does the Senator imagine that anybody else in the Senate now believes any such story?

Mr. Carmack—Oh, well, I will not answer for anybody else.

Mr. Spooner—I will wait for the "other side" of the case presented by the Senator. In order that I may quit the floor at the earliest possible moment, which I desire to do, I ask that I may put in the Record copies of some of those orders which were issued in the Philippines, and also one or two other papers to which I have referred, which I do not care to take the time to read.

The Presiding Officer—If there is no objection, that order will be made.

Mr. Spooner—Mr. President, I spoke of the spirit of this investigation. I was led to do that by reading the testimony, the questions, and I am forced to the conclusion, and with pain, too, Mr. President, that there are "sides" in this investigation of the Army. I was not at all surprised when the Senator

from Tennessee (Mr. Carmack) said: "Give us a chance and we will prove it."

I do not like an investigation involving the honor of soldiers in the Philippines or involving the honor of soldiers who are dead and buried in the Philippines conducted in a spirit of partisanship or upon ex parte testimony. I note one thing in all this attack upon the Army, that on the Democratic side of this Chamber not more than two or three of the Senators who fought in the Confederacy, gallant, chivalrous men, men who learned what war is, at its best, who know how it inflames the passions of men, who know how difficult it is to restrain sometimes in active operations the indignation and wish among soldiers for retaliation, have risen here to join in this condemnation of the Army. They remember the war for the Union. They know what happened on their side; they know what happened on ours. They know that no order has been issued in the Philippines, unless perhaps this alleged verbal order of Smith, which does not find its counterpart on both sides over and over again during the war for the Union.

I must make one exception in the minority of the committee. I cannot apply what I have said of the committee minority to the Senator from Idaho (Mr. Dubois). I wish I could not say it of any senator on the committee. I do not recall a question put by the minority calculated to elicit the whole truth or to elicit a fact which would tend to vindicate the honor of the Army in the Philippines. There is evidence there, of course, that the water cure was administered. There is evidence that it was administered to eleven or twelve men at one time, men who confessed that they had roasted Sergeant O'Hearn. While it was indefensible, there is no evidence that it injured any one of the men to whom it was administered.

Now, Mr. President, I do not, nor does any man on this side, approve of it or defend it; it violated the rules of civilized warfare, but I fancy—I cannot help it—that when senators detail it in the campaign in which they are about to enter and call the attention of the people to it, the people will regret it, but they will not forget the environment. They will not forget that Aguinaldo and his army had long before disappeared; that the army, upon an order made by him, had broken into guerrilla bands; that they had laid aside their uniforms and acted as presidentes and other civil officials; that they took the character of amigos and protested their friendship for the American government and its sway in the Philippines, and that under cover of that friendship there was hostility, treachery, assassination and torture.

There were 480 posts in those islands, most of them under the command of subordinate officers—some of them under the command of sergeants and corporals—and these little bands of soldiers dwelt in an atmosphere of treachery. The people will not forget that the men of that company, the Twenty-sixth, who under the leadership, it is said, of Captain Glenn, gave the water cure to those Filipinos, were mourning the loss of a brave and an admirable soldier. They will not forget that they already knew that he had been destroyed—destroyed, Mr. President, not quickly, but tortured, not by the water cure, which does not kill, but tortured slowly in the most diabolical and fiendish way to death.

While you picture to the people the Filipinos receiving the water cure, rising from it and walking away, I tell you, gentlemen of the minority, who think an attack upon the Army a good policy, there is nobody in this land who listens to you who will not

see in the background Sergeant O'Hearn tied to a tree and with agonized face being hour after hour burned slowly to death, and as the sun went down boloed and buried. You will hear the people say, "We are sorry this happened; but these natives were not soldiers; they were murderers."

And when you talk about that other case of water cure, which has been sworn to here—and its authenticity I shall not attempt to challenge, and I do not defend it—the people will see another soldier, a brave boy from some American home, walking around a tree slowly disemboweling himself, followed by devils with bolos, until he drops in death. The people will not defend it; nobody defends it; but the people will not forget, as seems to have been forgotten here, the environment of the relatively few men who imposed these punishments and these tortures, and they will be careful, while entering judgment against these men whom you condemn, to keep in mind the circumstances under which they acted.

The minority of the committee seem to have been very anxious for witnesses. They apparently put up a sign reading:

Witnesses wanted to testify to tortures by our soldiers in the Philippines and to acts of cruelty there by our Army. None others need apply.

The Senator from Texas (Mr. Culberson) wrote to Colonel Bridgman, telling him that he had been informed that he knew of orders, verbal or written, given by General Hughes approving the water cure. Colonel Bridgman wrote that he knew of no such thing, and so far as that witness is concerned "the subsequent proceedings interested" the minority no more.

Senators of the minority, it is your Army as much as it is ours. It is your duty as much as it is ours to get at the truth and to be just.

Upon what principle the minority of the committee, having learned that Colonel Bridgman would testify that he had known of no such thing as an officer authorizing the water cure in the Philippines, failed to call him to vindicate the Army to that extent I cannot understand.

There has been before the committee one man who is admitted now to have testified falsely. He testified to our use of the dum-dum bullet. Is that believed by the committee? He testified to acts of dishonor, indecency, shame, Mr. President, upon the part of certain officers over there—acts the very mention of which would carry pain into the home over here of those officers, wound the heart of the wife, and bring the blush of shame to the cheeks of the children and the accused far away, and defenseless for the time. Is that believed now to be true?

Mr. Dubois—Mr. President—

The Presiding Officer—Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. Spooner—Certainly.

Mr. Dubois—I know that the Senator from Wisconsin would not be unjust.

Mr. Spooner—I do not mean to be.

Mr. Dubois—The minority of the committee insisted that the witness should not be allowed to give the testimony which he was giving. The majority of the committee wrung it from him under protest and over the protest of the minority of the committee.

Mr. Spooner—I know of no man who would be less willing to do an unjust thing than the Senator from Idaho, but my recollection is that the testimony was given and went to the press. Am I wrong about it?

Mr. Dubois—It was given, but over the

protest of the minority. When the witness started to give this testimony we objected that he had no right to give such testimony, but the majority of the committee insisted upon his giving it.

Mr. McLaurin of Mississippi—It was objected to because it was hearsay.

Mr. Dubois—Because it was hearsay.

Mr. Lodge—Will the Senator from Wisconsin allow me?

Mr. Spooner—Certainly.

Mr. Lodge—The first statement to which the Senator from Idaho refers was a volunteer statement. The witness was asked about the water cure. He said he had witnessed a case at Igaras, a case already testified to. Subsequently it appeared that he was not at Igaras at the time. He broke off from that and volunteered a statement as to the conduct of certain officers who were in Igaras at the time. The minority asked to have that statement stricken from the record. I was determined, believing that the man was testifying falsely, to have it go in the record and have it refuted. I was determined that at least some officers of the United States should have the opportunity to meet the foul attacks that were being made on them in that committee room, and I knew if it was stricken from the record that man's statement, in some form or other, would go out, for it was already a part of an interview published in a New York newspaper.

Mr. Dubois—That is all I wanted to say, that the majority, for purposes of their own, insisted on this testimony being in, and the minority did not want it, and that is the only witness whose testimony has been impeached.

Mr. Carmack—Mr. President, I simply want to say that I did not object to the action of the chairman of the committee or to the majority of the committee in insisting that this testimony should be made a part of the record if they chose to do so. Still I am satisfied that if the matter had been excluded it never would have gone to the press, because I know matters which have occurred in that committee in testimony never have gone to the press upon the request of representatives of the majority.

Mr. Lodge—It was in the press already, the Senator shows, as an interview.

Mr. Carmack—Well, you could have kept it out of the press so far as it was not in the press. I merely wanted to say that I am entirely satisfied with the action of the committee. The statement was made upon hearsay. I did not believe then and I do not believe now that there is one word of truth in the statement of the witness. But I do want to protest against any attempt to make the testimony of this witness a standard by which the testimony of every other witness shall be judged.

Mr. Spooner—I think the Senator is right about that.

Mr. Carmack—And if the Senator from Wisconsin is citing the testimony of this witness as characteristic of the testimony that has been brought before the committee, I want him to say if any other witness who has been brought before the committee has uttered one single word that is not the truth, and if so, what is the name of the witness and what is the testimony that is falsely sworn to? I say the testimony related by this witness upon hearsay is false, and I give no credence whatever to his testimony. I think the chairman of the committee acted properly, if he chose to do so, in insisting that the testimony should be refuted, inas-

much as it had already gone to the press of the country.

Mr. Spooner—Now, Mr. President, I am anxious more than anything else to be through. I do not think it would be fair to mention this case as a standard at all for the conduct of the committee on either side, and I do not do it for that purpose. I have been impressed with the notion that it is a grossly unfair thing, that it is out of harmony with the first principles of decency and justice to try army officers, or any other men, while they are 8,000 miles away. The way to impeach the honor of a soldier in the Philippines is not before a committee of the Senate. I do not believe in trying a man in his absence. And if there is one man above another whose word I do not trust about an officer under whom he served it is the fellow who came home mad about his rations.

Mr. Carmack—The only man who complained about his rations that I am aware of was a man who was brought before the committee upon the request and summons of the chairman of the committee, the Senator from Massachusetts.

Mr. Spooner—I am not talking about who calls them.

Mr. Beveridge—Will the Senator excuse me?

Mr. Spooner—Certainly.

Mr. Beveridge—The recollection of the Senator from Tennessee is defective. The whole testimony of Mr. O'Brien, who was summoned at the request of the Senator from Tennessee, was to the effect that his rations were most defective. He talked about carabao soup, or something of that kind, and said constantly that his officers were thieves because he did not get enough to eat. The Senator remembers that testimony.

Mr. Carmack—There was also the testimony of Mr. Boardman.

Mr. Beveridge—But the Senator said Boardman was the only witness not satisfied with his rations.

Mr. Spooner—One man brought a couple of cans before the committee.

Mr. Lodge—That was Boardman.

Mr. Spooner—He had no use for the United States Army anyhow, and said a man ought to be shot who furnished such rations. Those cans never had been opened, but he testified that one of them was spoiled. One was some sort of soup and the other was salmon. The Senator from Nebraska (Mr. Dietrich) took the cans for examination, and invited the witness, with one or two Senators, to lunch, and gave him some of that spoiled soup, and he ate it all and liked it. (Laughter.)

Mr. Beveridge—And wanted more.

Mr. Spooner—He wanted more and got it.

Mr. Hoar—He ate it all, and none of the others got any?

Mr. Spooner—He ate all that was in the dish. He wanted more in his dish and got it. He ate the soup and then it was almost impossible, I have been told, to get him to stop eating that salmon.

Mr. McLaurin of Mississippi—Will the Senator allow me to ask him a question?

Mr. Spooner—Certainly.

Mr. McLaurin of Mississippi—I did not catch exactly the statement which was made. By whom was this witness subpoenaed?

Mr. Lodge—The witness came and volunteered, and I laid his name before the committee.

Mr. Spooner—He was summoned to lunch by the Senator from Nebraska (Mr. Dietrich). (Laughter.)

Mr. McLaurin of Mississippi—I see that the Senator can answer more readily questions I

do not ask than those which I ask. (Laughter.)

Mr. Spooner—Now, Mr. President, I am through with this branch of the matter. I did not mean to take time to refer to it. All I mean to say is this: If there has been any violation of the rules of civilized warfare in the Philippines, it ought to be hunted up and punished. But I do not remember a question put by the Senators on the other side to these witnesses intended to elicit an answer which could be creditable to the Army. They sought to prove by every witness the general reputation of the Army in the Philippines as to administering the water cure.

It remained for the Senator from Indiana (Mr. Beveridge) mainly to draw from the witnesses, as he did from almost every witness, that they were instructed by the officers to treat the Filipinos kindly; that they treated them kindly as a rule and in a friendly way; that they treated the prisoners taken kindly; that they were fed just as our soldiers were fed; that they were taken care of in our hospitals just as our own men were who were ill or wounded, and that they had treatment by our surgeons. I do not recall that this testimony was mentioned by any Senator on the other side in his speeches attacking the Army in the Philippines.

The Senator from Massachusetts (Mr. Hoar) seemed to think there is not any glory in what the soldiers have done in the Philippines. It has been a magnificent, brave Army, kindly, considerate, and helpful to that people. It has been officered by brave and humane men, with here and there a possible exception. It has been an uncomplaining Army, surrounded by novel conditions, dispersed, as I have said, throughout the archipelago, encircled by treachery and dangers of every description, subject constantly to ambush, deceived by the false use of flags of truce.

Yet I take it it will be found that in comparatively few instances have members of that Army been guilty of atrocity. I know it has been brave in battle. I find many reports here of the conduct of men and officers fine in the quality of gallantry, which would be applauded anywhere in the civilized world where courage and fidelity and uncomplaining fortitude are admired. Major Waller, who has been so bitterly attacked, led an expedition, November, 1901, for which he was highly commended by his superiors, and, with his officers, recommended for promotion, and the report of it can not be read by an American citizen, whether he believes in the war or does not, without a thrill of pride. It was as brave an assault upon an almost impregnable position as troops ever made. It is a fair illustration of the Army in the Philippines—not of the bad men, not of the brutes, but of the Army in the Philippines.

The ill fated expedition in which he lost his way, a dozen of his men by starvation, and in a measure his own mind, was in January and February, 1902.

Here is one instance of bravery and sentiment after that awful massacre at Balangiga, when our men at the breakfast table were killed by those who had protested friendship, and by those whom they had trusted. The captain was killed, Lieutenant Bumpus was killed. American soldiers were lying slaughtered all around them. A little band, and a very little band, remained, and here is what a survivor says of it:

Sergeant Betrom, the only officer alive, assumed command, and those of us who were too weak to walk were carried down to the convent, where we hoped to find the officers alive.

They found them all dead—all killed, by friends, by these "children."

We found the sentry beheaded and the captain cut to pieces in front of the convent. The doctor lay in his bed murdered. Lieutenant Bumpus—

From whose father I have here a published letter, full of pathos, beseeching justice to the Army.

Lieutenant Bumpus was stretched over the threshold of his room literally hacked to pieces. We could not stop to tie up the wounds. Then we heard the goo-goos coming with the horns, and Sergeant Betrom put four men on the road to hold the passage down to the boats, where the wounded were being conveyed.

Meanwhile the goo-goos—  
As they call them—

were trying to burn our quarters. A party of the boys under the lead of Private Claude Wingo started back to get the flag which was on a flagpole in front. He climbed up with the goo-goos around him and got the flag, but was mortally wounded when he slid down. The boys carried him, with the flag in his hand, to the boats. He died while we were going up the river.

There was that love of the flag and that pride of the soldier which does not permit men to be brutes and savages.

The Senator from Utah (Mr. Rawlins), referring to the sentence in General Chaffee's letter of September 30, 1901, to General Hughes, "It is our interest to disarm these people and to keep them disarmed, and any means to that end is advisable. It will probably cost us one hundred lives to get the guns lost at Balangiga," endeavored to impress upon the Senator from Georgia (Mr. Bacon), and failed, as any one who knows the Senator from Georgia would expect him to fail, that Chaffee intended to authorize the use of the water cure for that purpose.

Although Chaffee is a man of unstained soldierly honor; although Chaffee had distinguished himself not only for bravery, but for humanity and power to restrain soldiers in China; although Chaffee stands to-day one of the noblest chieftains of the American Army, the Senator from Utah sought to find in this language ground for casting imputations upon his character as a soldier. The Senator said he read that "between the lines." Too much to the discredit of our Army in the Philippines has been "read between the lines." I do not like reading "between the lines." It means to find something there that is not written; it requires a mind filled with suspicion; it requires an eye which seeks to find something, but cannot find it, yet reads it as if it were there.

"Reading between the lines" where honor is involved never is a fair thing. "Reading between the lines." Mr. President, has put the taint of suspicion upon the character of many a good woman and has put the taint of dishonor upon the fame of many a good man. I will not read between the lines, Mr. President, to find anything prejudicial to the honor of the American soldier in the Philippines or anywhere else, and I do not like the spirit which permits it.

Now, Mr. President, one thing more, and I have done. Senators demand that we tell them what our policy is in the Philippines. Here it is in this bill. We propose to make no foolish promises to the Filipinos at this juncture, or any other. They have had enough from Spain. We do not intend to furnish there an element of distraction. We do not intend to put there anything to promote agitation. We want the mind of the Filipino to be on progress; to be on the upbuilding of government; to be on the education of his children, to be on the excellence of our in-

stitutions, and upon the earnestness of our purpose to safeguard liberty in that land.

That is our policy. To go ahead; to feel our way, of course, but to go ahead with an honest purpose and with all the wisdom we can command. And we want your help, senators of the minority. We are entitled to it. We will do better if we get it. If we cannot get it, we are going along without you, and it will not be the first time.

What is your policy? This is your policy, this substitute bill:

Sec. 1. That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

I have always thought (and that is one reason why I thought we should have the title and the sovereignty) that there would come a time when they were capable of autonomous government, and yet not be able to maintain satisfactorily international relations. So I have felicitated the country upon the fact that we are in position, through the ratification of the treaty, to cede or grant to them the qualified sovereignty which might be needed for autonomous government, representative government, when they were fit for it, and yet retain in this government that part of the larger sovereignty and title which would enable us to control their foreign relations, and therefore safely protect them.

This substitute gives that possibility and that status all away, deliberately, I am bound to suppose:

Sec. 2. That the United States shall continue to occupy and govern said archipelago until the people thereof have established a government.

What brought this change over the spirit of your dream, Senators? Why have you omitted from this proposition that word which Mr. Bryan never omitted, as I recollect, that word which your substitute for the tariff bill did not omit? I can not understand it. I hope it will be explained. It is the word "stable" before the word "government." It is a word in this connection of overwhelming importance.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a government.

Does it make no difference to Senators whether it is a stable government or not? Does it make no difference to you whether it is a government able to maintain law and order or not? Which can protect life and liberty and property or not? Which can take care of the lives and interests of the people who have adhered to us over there? Why do you strike out this word "stable" and leave the safeguarding of McKinley's pledge of protection to all who came to us with friendship to a mere paper stipulation? Was it intended? Was it accidental?

And until sufficient guarantees have been obtained for the performance of our treaty obligations with Spain and for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under the authority thereof, as hereinafter provided.

Under this substitute these guaranties are not to be found in a stable government; but you will see as I go along, and I shall take but a moment, what they are to be:

Sec. 3. That ninety days after the President of the United States shall have proclaimed that all armed resistance to the United States has ceased in said archipelago, the United States Philippine Commission shall—

It would probably cease at once by the leaders who would want quickly to be able to

establish a government not stable, and left to prey as the old oligarchy preyed upon all the people. If it shall not then cease, we are to suppress, of course—

shall make and promulgate rules and regulations for the holding of an election in the provinces of said archipelago for members of a convention, which convention, when organized shall proceed to the adoption of a constitution for the government of said archipelago.

How do Senators get, under the Declaration of Independence, the right to force upon a people capable of establishing and maintaining a government, a constitutional government? That is an improvement on the Declaration of Independence! Nobody ever before, consulting the "consent of the governed" and legislating upon the theory that they are capable of establishing a government, has attempted to tell them precisely what form of government they should have. Suppose they need a stronger government than a constitutional republic, or suppose they think they do. You say they shall adopt a constitution for the government.

That all male inhabitants of said archipelago 21 years of age and over who speak and write the English or Spanish languages or any of the native languages of the said archipelago, and who shall have resided therein for one year, shall be qualified to vote—

Inhabitants—

shall be qualified to vote for members of the convention, and any person so qualified as an elector shall be qualified to become a member of said convention.

That takes in the Chinamen. Do you mean that?

The members of the said convention shall number 300, and shall be apportioned by the United States Philippine Commission among the several provinces of said archipelago so that the distribution shall be in proportion to their population as near as may be; and when the said apportionment has been determined upon, the said commission shall by proclamation order an election of the members for said convention, to be held throughout the said archipelago at such time as shall be fixed by the said commission—

It is a short time—

Sec. 4. That the members of the convention thus elected shall meet at the city of Manila on a day to be fixed—

And after organizing the convention they are to proceed to form a constitution and organize a government. This is the first constitution. The people are not to be consulted about it. It is not to be submitted to them. It is all to be done by the convention, and the convention is to organize the government. What a beautiful spectacle! Whom will you have in that convention? Is it intended on your basis of 300 to take in every tribe in the Philippine Archipelago? Does it include the Moros? Does it include the Igorrotes? Does it take in the head-hunters? Whom does it include? A photograph of this convention would be "a thing of beauty and a joy forever."

and after organization the said convention shall proceed to form a constitution and organize such government as they may deem best adapted to promote the welfare and secure the peace and happiness of the inhabitants of said islands: Provided—

Now, here is the guaranty; here is the bond which is to protect the obligations which the United States has assumed to Spain; the bond which is to safeguard the obligations, sacred as the honor of your fireside, assumed by the United States to protect the men, women and children who have been faithful and friendly to us against the Katipunan and assassination and threats and horrors which have prevailed in the

Philippine Islands. How have you provided for safeguarding them here?—

Provided, That said convention shall provide by an ordinance, irrevocable without the consent of the United States.

I am a little surprised that they should take care first of our right to military, naval and coaling stations and terminal facilities for submarine cables.

Next:

To carry into effect the treaty obligations of the United States with the Kingdom of Spain, and for the maintenance and protection of all rights and property under the authority of the United States.

And last, and apparently least, to safeguard and protect by paper assurance of a government, stable or not, made for a people who never ruled themselves, except for a time under our guidance—

Third. That no inhabitant of said archipelago shall ever be molested in person or property on account of his or her adherence to the United States.

And then we are to sail away. Ah, God help the amigos in the Philippine Islands. The men who have surrendered; the men who have gone into our service; the governors of the provinces and the children and the women who have been kindly and friendly to our soldiers and to our schoolmasters; the great body of people, who, in spite of the Katipunan, who in spite of violence, in spite of assassination, in spite of tortures and burials alive, have come to us with friendly greetings, with information, with help—you protect them how? By an irrevocable ordinance in or appended to this "constitution."

How would we know whether that was maintained or not? The poor amigo, the friend of America, slaughtered in the mango grove, tortured to death by the Katipunan in the elephant grass or boloed in the mountain pass, lying there with his face to the sky and his lips sealed forever—we would not hear from him. The mountains, the crevasses, the jungles, the forests would not give up their secrets. The very officers of this "government," members of the Katipunan, many if not all of them all the way through engaged in a tremendous effort to alienate that people from the United States! We sail away leaving them in the care of a quickly formed oligarchy and protected by an "ordinance!" What a noble redemption of a nation's pledges!

Mr. President, this nation, if it did that thing, would earn a new title, and the world would give that title to us and fasten it forever upon us—we would be the "coward nation" of all the world. I would not for anything—and that is one of the obligations which bind us to go on—turn over for protection the thousands and hundreds of thousands of men and women and children there, the Macabebes and all the rest who have been friendly to us, to the tender mercies of the "government" provided for by this minority bill.

Who would enforce an observance of this? Is it contemplated that we are to go back there with war ships or an army some time if our obligations to Spain are not respected by that Government? Is it intended, after having relinquished title and sovereignty and sailed away, carrying with us the flag as a symbol of liberty and protection to all that people and leaving it there as a symbol of ownership of coaling, naval and military stations, that we are to go back and that we are to again train our guns against Manila—that we are again to take possession of this archipelago in order to protect the amigos No, that is not intended. It is intended, Mr. President and Senators, if that

were adopted, to sneak away from there like a coward and abandon them to their fate, knowing what their fate will be. The people of the United States will never do that thing.

Then, after all this, what is to be done? They are to have amnesty there. I do not care for that.

Provided, That such amnesty shall not apply to any who have violated the rules of civilized warfare or were guilty of murder or torture. That the latter, if any, shall be afforded a speedy trial for their offenses in the civil courts of said archipelago and be punished or acquitted, as the facts and law may warrant.

It is a wise foresight to give them authority to acquit if the facts warrant, is it not?

That the President of the United States is hereby requested to negotiate an agreement between the United States, the said Philippine Archipelago—

That is, after we have quit, after we have surrendered the sovereignty, and have no longer any right there, except to take care of our coaling station and our naval station and our military station—

That the President of the United States is hereby requested to negotiate an agreement between the United States, the said Philippine Archipelago.—

How would you negotiate an agreement with an archipelago, anyway? I know my friend from Texas (Mr. Bailey) does not know. What does the minority of the committee mean by that?

That the President of the United States is hereby requested to negotiate an agreement between the United States, the said Philippine Archipelago—

That is like negotiating an agreement with a tree or with a mountain— and Great Britain, Germany, France, and such other powers as he may deem best, providing for its perpetual neutrality and inviolability from all foreign interference, and also for equal opportunities of trade to foreign countries with said archipelago.

We have tried that on a small scale once. The Senator from Ohio (Mr. Foraker) in his speech the other day recalled the fact that we were not willing in the Hay-Pauncefote treaty to enter into an alliance with other nations as to maintaining the neutrality of the isthmian canal, it being our canal. We intend now to take care of its neutrality ourselves; but that is not the only instance where we have tried agreements with other governments, and great governments, too, for joint neutrality. We tried it in Samoa with England and Germany, friends of ours. How did we get along? We came very near the "perilous edge," and it required a good deal of diplomacy to extricate ourselves from it.

Suppose those governments would not agree, as they would not, and we could not go into that if they would, what then? Senators forgot to provide here that before we sail away the President shall notify the nations who have subjects there with families and property of the hour of our departure that Germany, France, England, China and Japan, and Russia may have their warships there to protect the interests of their own people.

What would happen? I will tell you what I think would happen, Mr. President. I do not think the nations would be willing that any one of them should have those islands. I think most of them sympathized with Spain. I think they will not fear the occupation and control of the Philippines by Spain. I have a notion—of course I may be wrong—that in the end, with the aid of these other governments, we having utterly withdrawn from it, the Philippines would again

belong to Spain. What a glorious consummation! What a beautiful working out of the great ideal with which we inaugurated the war!

No, Mr. President, there is only one thing to do; and if our friends on the other side had control of this subject they would not vote for this proposition if we offered it. If the Democratic party ever succeeds in securing the control of this country—God save the mark—

Mr. Beveridge—And the country.

Mr. Spooner—What would they do about the Philippines, Mr. President? Would they adopt such a fatuous, fanciful, cowardly scheme as this? Not at all. They would do exactly what we are doing. They would say they did not like it; that as an original proposition they were opposed to it, but that it is a legacy from the Republican party, and it is impossible with honor to withdraw from it.

So, Mr. President, we will pass this bill, with some amendments. We will go along with the discharge of our duty. The distinguished Senator from Massachusetts (Mr. Hcar) will, I hope, remain many years in

the public service. Neither he nor I may, however, live to see this problem worked out as he wishes and as I wish, but I have abiding faith that it will be worked out and that when the time comes the message of this epoch, so far as it relates to the Philippines, will be what the Senator would wish and not in anywise that one which he would deplore.

I hope and pray that the time will come when we can truthfully say: We took, reluctantly, because by the fortunes of war we were there, the title to the Philippine Archipelago. We subdued resistance to our authority. We filled the islands with schools and with homes owned by the people. We established a school of government in which were taught the lesson of liberty restrained by law. We separated the church from the state. We lifted the dead hand of ecclesiastical ownership. We gave them our bill of rights and an independent judiciary to enforce its guaranties. "We emancipated the peasant from feudalism. We drove from the archipelago the scourge of ladronism. We encountered obstacles, but we surmounted them. We made mistakes, but we corrected them. We

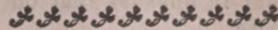
educated the inhabitants for self-government, and although occupying a territory of our own, we extended to them the principles of the Declaration of Independence, consulted, when they were fit, their wishes as to government, and aided them in the erection of a "Republic in Asia." We threw the shield of our protecting power around them. In the end we left our flag floating there among a grateful, friendly, and independent people—a sign of welcome, safety, and rest to the mariners of our Republic who sail the far Pacific and a reminder to the Filipinos and their children of the rich fulfillment of McKinley's prophecy that it would not lose "its gift of benediction in its world-wide journey to their shores."

Mr. President, I regret to have occupied so much of the time of the Senate. I feel as if—and it has been inadvertent—I had taken almost an unfair advantage of the courtesy which was extended to me the other day; and if any Senator on the other side of the chamber, or on this, shall suffer inconvenience for want of time to make such reply as he desires it will always be to me a source of deep regret.

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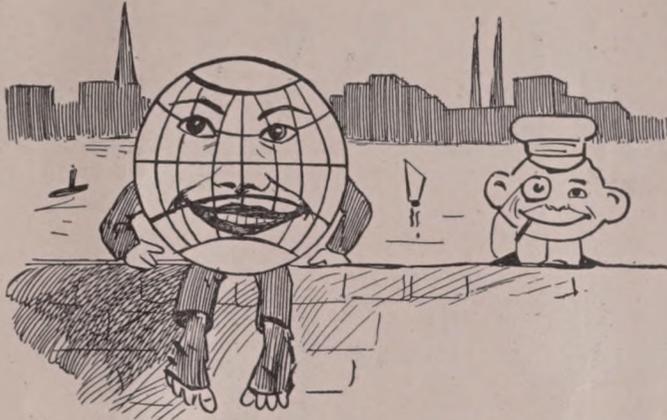
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